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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-ninth session

AGENDA

1. Opening of the session

2. Election of officers

3. Adoption of the agenda and other organizational matters

4. Annual theme: International Solidarity and Burden-Sharing in all its Aspects: National, Regional and International Responsibilities for Refugees

5. Reports on the work of the Standing Committee

   (a) International protection

   (b) Programme, administrative and financial matters

6. Consideration and adoption of programme budgets

7. Reports relating to programme oversight

8. Meetings of the Standing Committee in 1999

9. Consideration of the provisional agenda of the fiftieth session of the Executive Committee

10. Any other business

11. Adoption of the report of the forty-ninth session of the Executive Committee

12. Closure of the session

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-ninth session

REPORT OF THE THIRTEENTH MEETING OF THE STANDING COMMITTEE (8-9 September and 2 October 1998)

I. INTRODUCTION

1. The meeting was opened by the Chairman of the Executive Committee, His Excellency, Ambassador Björn Skogmo (Norway). The Chairman informed delegations that the delegation of Sri Lanka had requested to participate in meetings of the Standing Committee during 1998 as an Observer and suggested that their participation begin immediately. Delegations agreed to this proposal.

II. ADOPTION OF THE AGENDA OF THE THIRTEENTH MEETING AND THE REPORT OF THE TWELFTH MEETING

2. The agenda (EC/48/SC/CRP.34/Rev.1) and the draft report of the twelfth meeting (EC/48/SC/CRP.33) were both adopted without revision.

III. DEPUTY HIGH COMMISSIONER'S STATEMENT

3. The Deputy High Commissioner delivered an opening statement to the Standing Committee, updating delegations on recent developments in UNHCR Operations around the world. He informed delegations that Mr. Vincent Cochetel, UNHCR's Head of Office in Vladikavkaz, still remained captive.

IV. PROTECTION/PROGRAMME POLICY ISSUES

4. Under this agenda item, the Standing Committee had before it two documents for discussion, *Refugee Children and Adolescents, Including Follow-up to the 1997 Evaluation and Report on Implementation of the Machel Study* (EC/48/SC/CRP.38) and *The Situation of Older Refugees* (EC/48/SC/CRP.39).

A. Refugee Children and Adolescents

5. The Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu, gave a statement in which he outlined three primary courses of action: advocacy, the taking of concrete initiatives in the midst of conflict and the need to bring protection of children in armed conflict to a central concern at all levels. He stressed that local values regarding protection and treatment of children are as much a resource as international norms and standards, though in societies where they have been undermined by war he emphasized that they may need to be reinvigorated. He also stressed the need to work with State as well as non-State parties to any given conflict to promote respect for norms relating to children in armed conflict. The Special Representative's address was followed by a brief introduction to the document entitled *Refugee Children and Adolescents, Including Follow-up to the 1997 Evaluation and Report on Implementation of the Machel Study* (EC/48/SC/CRP.38) by UNHCR's Senior Coordinator for Refugee Children.

6. In their interventions, several delegations noted the discrepancy between levels of programming for children among different country programmes and encouraged greater mainstreaming and accountability on children's issues, financial constraints notwithstanding. Many delegations offered strong support for the progress made by UNHCR to date, referencing a non-governmental organization (NGO)-initiated training programme, joint initiatives with NGOs and the establishment of the Regional Policy Officer (children) posts. Some delegations, however, expressed concern at the decision to cut such a post in the Great Lakes region of Africa. Several delegations thanked the countries that had given additional funds to enable these initiatives, but communicated a desire to see them mainstreamed in UNHCR's General Programme.

7. The Deputy High Commissioner, in his concluding remarks on this sub-item, noted that while progress has been made, greater implementation across the board is needed. He acknowledged delegations' concerns about internal restructuring and the placement of the Senior Coordinator posts, and assured them that the Coordinators will be situated in a way which will enable them to interface with executive and senior management, and to maximize their impact. He expressed appreciation for the special contributions in support of these initiatives, as well as hope that UNHCR will be provided with additional contributions, while underlining that support for these initiatives must eventually be mainstreamed.

B. Older Refugees

8. The Senior Community Services Officer of the Programme and Technical Support Service (PTSS) introduced document EC/48/SC/CRP.39 entitled *The Situation of Older Refugees*, noting the timeliness of the document, given that 1 October 1998 is the International Day of the Older Person and 1999 has been designated the International Year of the Older Person.

9. Delegations commended the humanitarian perspective of the document. It was pointed out that the situation of older refugees is complex and that this analysis of their plight was both sober and sobering. Delegations welcomed UNHCR's efforts to bring special attention to the needs of an often neglected

population at this timely juncture. Delegations also affirmed that the elderly should not be seen as passive recipients of assistance, but also as valuable resources for their communities.

10. Delegations endorsed that strategies outlined in the conference room paper to ensure continued care of the elderly, namely an integrated approach to programming which is inclusive of the elderly, the importance of community services to identify and support the elderly and a well managed phase-out. While acknowledging the special needs of older refugees, delegations supported UNHCR's strategy of not isolating them as another special category, but instead integrating the elderly into all aspects of programme planning and implementation. It was suggested that UNHCR tools, such as People Oriented Planning training and the Operation Management System framework, could be used to ensure this. One observer delegation (NGO) noted that, in line with the International Year of the Older Person in 1999, measures to keep families together and strengthen inter-generational ties were necessary. It was recognized that the very young and the very old are most vulnerable and several delegations suggested innovative approaches to bring unaccompanied minors and elderly together. Delegations also welcomed the UNHCR initiative to work in partnership with other specialist agencies, including HelpAge International, to improve staff and implementing partner awareness of the needs of the elderly, as well as their capacity to respond to the needs of this vulnerable group.

11. One delegation urged that, in facing the dilemmas of when and how to limit assistance to groups at risk, UNHCR should err on the side of compassion. It was agreed that UNHCR must phase-out with care, but other actors in the United Nations system, Government and non-governmental sectors must be involved in assuming responsibility for their well being.

V. PROGRAMME AND FUNDING MATTERS

12. Under this agenda item, the Standing Committee had before it a conference room paper entitled *Refugee Registration and Statistics* (EC/48/SC/CRP.35). The Chief of the Programme Coordination Section introduced the conference room paper and explained that the 1997 Statistical Overview, sought to capture the many facets of refugee displacement. On the issue of demographic statistics, he stated that in recent years UNHCR has moved away from using imprecise demographic information on women and children and instead has presented gender and age disaggregated statistics for most UNHCR operations. With regard to data collection at the field level, it was clarified that a formal refugee registration normally needs only to be repeated if there are indications that the register is inaccurate. In this context, the importance of rules and procedures to update refugee registers was stressed.

13. Delegations expressed their support for the work UNHCR carries out in the area of registration and statistics and welcomed the documentation provided. It was pointed out that good statistics are not only a core component of budgeting but are also vital to assess beneficiary needs and to maintain donor support for UNHCR programmes. In light of the overall importance of statistics, it was questioned whether one full time staff member devoted to statistics in UNHCR was adequate. With reference to the recent report of the Board of Auditors, the importance of providing

statistics disaggregated by gender and age was highlighted. Furthermore, it was suggested that documentation pertaining to the funding of operations should focus on statistics relating to the beneficiaries of UNHCR programmes rather than on the total refugee population.

14. Interest was expressed in the progress achieved in implementing the revised UNHCR/WFP Memorandum of Understanding, in particular where it concerns the need to carry out a registration within the first ninety days of a refugee influx. The periodic updating of beneficiary records was also considered vital in this context. Plans to convene a technical seminar on refugee estimation, together with WFP and UNFPA, were welcomed. However, concern was raised that budgetary constraints will adversely affect UNHCR activities concerning registration, in particular those related to training.

15. There was general appreciation of the difficulties in compiling internationally comparable refugee statistics. A number of delegations, however, expressed the view that the method currently applied by UNHCR to estimate refugee populations in countries without comparable statistics may lead to overestimation. In this regard, it was doubted whether resettled refugees should continue to be counted in UNHCR refugee statistics. UNHCR was invited to convene a meeting to improve the international comparability of refugee statistics. UNHCR was also asked to provide, in future documentation, some indication of the accuracy of the refugee data.

16. In his closing remarks, the Chief of the Programme Coordination Section informed delegations that the technical seminar on estimation had been postponed due to the heavy workload within the section. While taking note of the comments made by some delegations, UNHCR's Statistician clarified UNHCR's approach towards estimating the number of refugees in countries without accurate refugee population statistics and explained that the granting of citizenship, not long-term residence status, is used as a criterion for UNHCR statistics. He welcomed further bilateral exchanges on these and related issues.

VI. SITUATION REPORTS

17. Under this agenda item, two regional reviews were presented to the Standing Committee: an *Update on Regional Developments in the Americas* (EC/48/SC/CRP.36) and an *Update on Regional Developments in Asia and the Pacific* (EC/48/SC/CRP.37).

A. Update on Regional Developments in the Americas

18. The UNHCR Director of Operations for the Americas introduced EC/48/SC/CRP.36 and provided delegations with updated information on UNHCR's overall strategic objectives in the region.

19. Delegations expressed broad support for the strategy and approach of UNHCR in the Americas, noting in particular that the emphasis being placed on creating partnerships with civil society and Governments in the interests of strengthening the protection framework. Delegations underscored their satisfaction with progress achieved in consolidating durable solutions for Guatemalan refugees. The Mexican Government was commended for its recent agreement to facilitate local settlement of refugees in Chiapas. Appreciation

was also expressed for the role of the Guatemalan Government in the process of collective return to Guatemala.

20. Concern was expressed by several delegations that the successful conclusion of the Guatemala repatriation and reintegration programme in June 1999 might be jeopardized by the current funding shortfall. One delegation enquired about progress achieved in securing linkages between UNHCR's reintegration support and longer-term development efforts. The Director briefed the meeting on plans to organize a "lessons learned" exercise on the Guatemala programme jointly with the UNDP Resident Representative, as well as efforts underway in the field to ensure the sustainability of UNHCR-financed projects, *inter alia*, by sharing an analysis of pending needs of returnee communities with partners.

21. In relation to the situation in Colombia, delegations welcomed the recent establishment of the UNHCR presence in Colombia in response to the Government of Colombia's request for UNHCR support in favour of national institutions working with internally displaced. Some delegations shared UNHCR's concern regarding the evolution of the problem of forced displacement and its effects on neighbouring countries. UNHCR's actions to strengthen the asylum regime in the area drew support from delegations. The Director noted that complementarity with key partner agencies was regarded as essential, given the scope and complexity of internal displacement in Colombia.

B. Update on Developments in Asia and the Pacific

22. The Director of the Bureau for Asia and the Pacific provided a summary of recent developments in the region, highlighting the proposal for an enhanced UNHCR role on the Thai/Myanmar border, the blueprint for the Office's future activities in Myanmar, the situation in Cambodia and its impact on the Cambodian refugee populations in Thailand, and the progress of the Asia-Pacific Intergovernmental Consultations on Regional Approaches to Refugees and Displaced Persons.

23. Many delegations welcomed the proposed expansion of the UNHCR role with respect to the refugee camps on the Thai/Myanmar border and requested to be apprized of future developments in this regard. Issues relating to the admission of new arrivals to the camps, the relocation of these settlements in order to ensure their safety, the registration of the refugees, and the UNHCR involvement in the repatriation of these populations, were also highlighted. One delegation queried the budgetary implications of the proposed activities by UNHCR, while another requested clarification concerning the coordination between the non-governmental organizations operating on the border and UNHCR. Several delegations also expressed appreciation for the blueprint of the future strategy of UNHCR in regard to the Rakhine State in Myanmar, which included details on the Office's phasing out of its activities in the Rakhine State in the year 2000 and the handover to other agencies as of that period. One delegation, however, requested more detailed information concerning UNHCR protection activities in Myanmar aimed at improving the situation of the returnees.

24. Concern was expressed by several delegations with regard to the lack of progress in the bilateral discussions in regard to the situation of the Bhutanese refugees in Nepal and the fact that no refugees have returned.

Delegations also noted the importance of the establishment of an independent verification procedure with respect to this population and requested that UNHCR also examine the situation of these refugees in the light of the Office's responsibilities under the 1961 Convention Relating to the Reduction of Statelessness. One delegation also requested clarification concerning the statistics provided in the update.

25. The significant decrease in refugee flows from Sri Lanka to India was also noted by delegations, in particular UNHCR's role and that of the Government of Sri Lanka in this regard. A few delegations also requested information concerning the coordination between the various international organizations providing relief to the internally displaced in the country and expressed concern over a possible overlap in responsibilities between the agencies involved. A number of delegations noted the situation of Indonesian asylum seekers from the province of Aceh who had sought refuge in the UNHCR and the United States Embassy premises in Malaysia in March 1998. While one delegation queried the appropriateness of resettling these persons, other delegations expressed support for UNHCR's endeavours in this regard and called on the Government of Malaysia to respect the principle of *non-refoulement* with regard to this population. One Observer delegation clarified the situation in Malaysia and highlighted the fact that its Government is responding appropriately to the situation within its abilities. In addition, the delegation welcomed the assistance being provided by UNHCR.

26. Several delegations welcomed and expressed their support for progress of the Asia-Pacific Consultations (APC), highlighting its importance as a regional forum for the discussion of strategies regarding population flows in the region. One delegation expressed its reservation with regard to the pace and direction of this process, citing the lack of adequate consultation with countries in the region and the absence of clarity of the process itself. The delegation, however, supported the forthcoming meeting between the APC Coordinator and the delegations, scheduled to be convened in the margins of the plenary session of the Executive Committee in October 1998.

27. Several delegations also commended UNHCR for the recent emergency preparedness and contingency-planning workshops and related activities in the region, highlighting the importance of these and other capacity-building initiatives in light of the current economic crises in the region. A further development of these activities was recommended. Several delegations also expressed satisfaction in regard to UNHCR's promotion and training activities in the region. A few delegations requested information concerning accessions to the international refugee instruments by countries in the region and called for the establishment of national refugee status determination procedures. One delegation noted the recent establishment of a national refugee status determination procedure by its Government.

VI. PROTECTION/PROGRAMME POLICY ISSUES

28. The Standing Committee had before it a document entitled, *Economic and Social Impact of Massive Refugee Populations on Host Developing Countries: A Quantitative Assessment on the Basis of Special Case Studies* (EC/48/SC/CRP.40).

29. The agenda item was introduced by the Head of the Inter-Organization Affairs and Secretariat Service, who summarized the contents of the paper stating that it complements a 1997 Standing Committee conference room paper (EC/47/SC/CRP.7). The 1997 paper addressed, in a more qualitative manner, the issue of the social and economic impact of large refugee populations on host developing countries and the international responses to those impacts. She explained that the second paper focused on three examples where attempts to quantify the impact of massive refugee populations have been carried out. She further noted that the information on which the conference room paper was based does not provide conclusive answers to the complex issue of quantitative assessment. The paper, however, provides some suggestions of how the difficulties in such assessments could be addressed.

30. A number of delegations stressed that the assessment of impact, both social and economic, of large refugee populations on host countries should not be seen as having a strictly financial objective. Funding, however, was identified by some delegations as one of the most fundamental issues to be addressed. Delegations placed particular importance on the need to have adequate assessments to encourage a better understanding of the burden imposed by large refugee movements in developing countries. Delegations also expressed the view that assessments can raise more concern for refugees in international fora and among the population in donor countries, as well as possibly improve the environment of asylum in host countries and contribute to preventive endeavours. Delegations agreed that, due to the complexity of the issue, the cooperation of all concerned parties must be engaged in the assessment exercises and that the difficulty of these efforts should not undermine the importance of the issue. Delegations encouraged UNHCR to gradually strengthen its capacity to monitor, assess and evaluate the economic and social impact on host countries.

31. Delegations expressed the view that UNHCR can and should play an important proactive, catalytic role in assessment exercises, even if other international development and financial institutions provide technical and financial support. Based on the results of these assessments, UNHCR should also continue to play a leading role in sensitizing donor Governments about the impact of refugees in developing countries and the need for adequate responses to this impact. It was suggested by a number of delegations to maintain the issue of the social and economic impact of large refugee populations on the agenda of the Executive Committee.

32. In reply to delegation's comments, the Head of Inter-organization Affairs and Secretariat Service stressed that there was indeed a need for such assessments and that they are useful to a variety of actors and purposes. She noted that the earlier they are carried out, the greater the chance of addressing their overall impact. The role of UNHCR in carrying out impact assessments is an essential element in the debate on UNHCR mandate and its collaboration with development agencies and financial institutions.

VII. PROGRAMME AND FUNDING

33. Under this agenda item, the Standing Committee has before it the *Overview of UNHCR Activities* (A/AC.96/900), and its addenda. In addition, the Standing Committee was presented with a proposal for UNHCR budget structure (EC/48/SC/43).

A. Programmes and Funding

34. The Director of the Division of Operational Support and the Head of the Funding and Donor Relations Service introduced the first sub-item of this agenda item. The Director noted that UNHCR proposes a revised 1998 General Programmes target of $ 429 million (see Table II.5, column 3 of document A/AC.96/900), stating that this represents a reduction of $ 11 million from the initial 1998 approved budget of $ 440 million. He informed delegations that this reduction is due to savings under Programme Delivery and Administrative Support costs. UNHCR, he explained, has adopted an internal, self-imposed ceiling for expenditure in 1998 of $ 370 million, since even this reduced target exceeds funding projections for the year. The 1999 General Programme budget proposed to the Executive Committee is $ 413 million, as detailed in Table II.5, column 4 of document A/AC.96/900. The Director stated that needs for 1999 Special Programmes will only be finalized and presented to Members of the Executive Committee when the Global Appeal is launched at the end of 1998.

35. The Head of the Funding and Donor Relations Service in his introduction highlighted five issues of particular relevance to UNHCR in relation to mobilizing sufficient funds: the decreasing carry-over in recent years for both General Programmes and Special Programmes; the timeliness of contributions, particularly for large Special Programmes; the difficulties in balancing assessed needs against projected resources; an increasing tendency by donors to earmark both geographically and at a low level of detail; and the heavier reporting requirements placed upon UNHCR due to the lack of a standard reporting format.

36. A number of delegations expressed appreciation at the quality of the documentation. One delegation, however, felt that in the A/AC.96/900, the presentation made it difficult to see the scope of budget cuts, stating that, in future, tables showing percentages of cuts in relation to the entire budget needed to be included. A number of delegations expressed concern over the reduced General Programmes target both for 1998 and 1999. Others requested clarification on whether even the reduced 1999 target was realistic in light of what is expected by way of contributions in 1998. One delegation stated that budgets should be based on realistic income projections. Several delegations noted that in times of financial constraints, overhead costs need to be reduced. Significant debate followed on the issue of how UNHCR should balance the volume of assessed needs against the level of projected funding and which of these should guide UNHCR when presenting programmes to the Standing Committee. One delegation noted that the dilemma of needs versus resource driven budgets should be addressed with a sense of realism, while avoiding the danger that resource driven budgets could become a "self-fulfilling prophecy". Delegations expressed appreciation for the proposed consultative processes concerning earmarking, the timeliness of contributions and reporting. It was noted by one delegation that excessive earmarking placed a burden on UNHCR and on the donors who do not earmark. The proposal to discuss programme design before launching of appeals was also welcomed. Other delegations commended UNHCR on the Global Appeal and the Mid-Year Progress Report on Special Programmes, in particular, the focus on the impact of funding shortfalls. Another delegation, while regretting the shortfalls in funding, nevertheless felt that the funding challenges facing the Office

had a positive side, in that they called for prioritization and a thorough review of programmes. Concerning evaluations, one delegation called for greater openness and transparency.

B. Proposed new budget structure

37. The Director of the Division of Operational Support introduced the *Note on UNHCR's Proposed New Budget Structure* (EC/48/SC/CRP.43). He also drew attention to paragraphs 32 to 42 of document A/AC.96/900/Add.3, *Overview of UNHCR Activities 1997-1999: Addendum 3 - Report of the Advisory Committee on Administrative and Budgetary Questions*, which set out the ACABQ's comments on UNHCR's proposal.

38. The Director first addressed the issue of the adoption of the harmonized definitions of "Programme Support", "Management and Administration" and "Programme" as agreed to by UNDP, UNICEF and UNFPA. In the view of the ACABQ, the adoption of these harmonized definitions, he explained, would ensure greater comparability of such expenditure among United Nations agencies and avoid a number of problems, such as the apparent arbitrariness of the current classification of UNHCR support costs.

39. The Director then turned to the broader issue addressed by the ACABQ, that of the proposed budget structure itself. He noted that the ACABQ had expressed reservations about the proposed distinction between "Statutory Activities" and "Other Mandated Activities" and opted instead for a single consolidated Annual Programme made up of predictable budget elements set out in Parts A and B of the proposed budget structure; activities undertaken after the approval of the Annual Programme (for example emergencies which cannot be covered through the Reserve) requiring an appeal, or other programmes of a bilateral nature would be considered as Supplementary Programmes. He also referred to the ACABQ's recommendation that the Executive Committee provide the High Commissioner with policy guidance for accepting such supplementary activities.

40. He noted other related issues that were dealt with by the ACABQ: the combining of the three current Reserves (Programme Reserve, Emergency Fund and Voluntary Repatriation Fund) into one Operational Reserve set at least at 10 per cent of the previous year's total expenditure (excluding the United Nations Regular Budget contribution) and a number of resource mobilization issues including earmarking.

41. In light of the comments made by the ACABQ, and of the Standing Committee's initial response to them, the Director proposed that further informal consultations be held before the end of 1998 to explore further the ACABQ's comments and resource mobilization issues. He explained that this would allow UNHCR to prepare a prototype of the budget structure in the first quarter of 1999 for early submission to the ACABQ. He stated that UNHCR also proposed to work on the relevant revisions to the Financial Rules relating to the proposed consolidated Reserve.

42. Delegations welcomed the initiative that had led to the proposal of a revised budget structure. Although acknowledging that a new budget structure would not necessarily solve UNHCR's funding problems in view of the fluctuating nature of its activities, they felt that it would provide greater

clarity, transparency and lead to better prioritization of activities. Delegations also welcomed the ACABQ's broadly favourable response to the UNHCR proposal. Several delegations requested UNHCR to explain how the ACABQ view would differ in practice to the way UNHCR had proposed to present its budget, and what were the pros and cons of a consolidated Operational Reserve.

43. All delegations agreed with the UNHCR proposal that further consultations on the budget structure should be held before the end of 1998. Many expressed the desire to see a prototype budget before it was presented to the ACABQ and hoped that this could be done quickly enough so that the new budget structure would be put in place for the year 2000.

44. In answer to the questions received, the Director replied that UNHCR also wished the new budget structure to be ready for the year 2000 and that the Office had no objection to a consolidated Operational Reserve, provided the specificity of the current three Reserves was maintained. He also explained how, within the unified budget as called for by the ACABQ, UNHCR would need to prioritize its activities along the lines implied by the originally proposed distinction between "Statutory Activities" and "Other Mandated Activities".

VIII. FINANCIAL MATTERS

45. The Chairman introduced the item by referring to the relevant documents, namely, the *Voluntary Funds Administered by the High Commissioner*: Accounts for the Year 1997 (A/AC.96/899), the *Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds Administered by UNHCR for the period ended December 1997* (A/AC.96/901), *Measures Taken or Proposed in Response to the Recommendations in the Report of the Board of Auditors* (A/AC.96/901/Add.1) and *Implementing Partners Compliance with Audit Certification* (EC/48/SC/CRP.41). He mentioned that the Report of the Board of Auditors was not yet final and that the ACABQ had therefore not provided their comments on the document. The Report still had to be submitted to the Fifth Committee and the General Assembly.

46. The Controller and Director of the Division of Financial Management Services (DFMS) then elaborated on the documents before the Standing Committee, pointing to pages of particular interest within the accounts. He highlighted the unqualified audit opinion given by the Board of Auditors and then discussed some of the recommendations in more detail. He gave an explanation of the issue of income recognition and the Board's recommendation in this regard, which he felt could cause UNHCR some operational difficulties if implemented. On the question of audit certificates from implementing partners, the Controller and Director noted that UNHCR was pursuing the matter with international and local NGOs but he requested the support of the Executive Committee in ensuring that governmental partners provided audit certificates as required. He also requested the guidance of the Standing Committee on the recommendation that UNHCR adopt a biennial reporting cycle. He elaborated on the positive and negative aspects of a two year cycle and added that UNHCR would welcome advice from delegations on this matter before discussing it with the Board of Auditors.

47. The Controller and Director noted that the Committee would have to decide on the mechanism for their consideration of the Report of the Board of Auditors and UNHCR's follow-up on the basis of options that will be presented by UNHCR in time for the determination of the 1999 workplan. He concluded by pointing to the final document for this item, EC/48/SC/CRP.41, which provides a progress report on the current state of compliance with the requirement on audit certification.

48. Delegations expressed satisfaction with the unqualified audit opinion provided by the Board of Auditors. Many delegations noted that there had been some progress on the implementation of previous years' recommendations while others were concerned to see recurrent issues in the report and requested UNHCR to continue to make every effort to address these. Several delegations urged UNHCR, in particular, to implement the recommendations on refugee women, children and the environment.

49. While generally expressing their support for UNHCR, some delegations requested UNHCR to address some of the management weaknesses which seemed to be evident from the report and which had been the focus of recent press articles, and to ensure that the necessary controls were in place, especially in the area of implementing partner management.

50. On the questions posed to the Committee by the Controller and Director, the delegations were all in agreement. On the matter of income recognition, while delegations wished to wait for the comments of the ACABQ, they indicated that UNHCR should continue to recognize income according to the current practice. One delegation was of the opinion that any accounting practice that would hinder UNHCR's ability to deliver protection and assistance to refugees should not be implemented unless circumstances absolutely demanded it. Several delegations suggested that work towards the unified budget structure which UNHCR was proposing may go a long way in addressing this problem.

51. On the question of biennial audits, delegations, while noting that they awaited the guidance of the ACABQ and the Fifth Committee, expressed the preference for the maintenance of an annual audit cycle.

52. The issue of audit certification was extensively addressed by delegations. UNHCR was urged to do more to obtain audit certificates from implementing partners. In particular, suggestions were made that implementing partners may need training and other assistance in order to comply with this requirement. One delegation suggested to include appropriate standard clauses in implementation agreements in order to induce implementing partners to submit audit certificates in a more timely manner. Several delegations requested UNHCR to provide the Standing Committee with a list of partners which had outstanding audit certificates. On the matter of the timing of the submission of audit certificates, one delegation requested clarification from UNHCR on why the shorter timeframe for submission of certificates was not acceptable. Another delegation requested clarification on the issue of reporting on fraud cases in the Board of Auditors Report.

53. In response to these interventions, the Controller and Director thanked the Committee for their clear guidance on the issues raised by the auditors. He agreed that the schedule for review of these documents needed to be

examined. He noted that there were some recurrent issues raised in the audit but affirmed that UNHCR was working to address them and that, in the area of implementing partner training, a course was being developed on financial management. He noted that the issue of the timing of audit certificate submission was a difficult one and that UNHCR was trying to be realistic regarding a practical timeframe for submission. He explained the oversight framework in UNHCR and pointed out that the audit certificates were only one part of this framework. He thanked the Committee for their suggestions on how to proceed on this issue.

54. On the question of fraud, the Controller and Director confirmed that the Office of Internal Oversight Services had examined claims made on an alleged fraud case during 1997 but could not find elements to conclude that there was indeed fraud. He also explained that the Organization is not always at liberty to report fraud cases before an investigation is completed and the possible disciplinary measures are launched.

IX. PROTECTION/PROGRAMME POLICY ISSUES

55. The Director for the Division of Operational Support introduced the agenda item referring to the five main themes brought up during the series of consultations on reintegration in June, July and September 1998. The themes were summarized as relating to basic protection issues; importance of inter-agency cooperation, identification of the comparative advantages of each agency involved in reintegration; the need for UNHCR to develop, within overall country rehabilitation and development plans, its own comprehensive repatriation and reintegration strategy; and, finally, the need to address resource mobilization in a comprehensive manner. The Director pointed to the importance the High Commissioner placed on the reintegration issue for the Office and referred to the draft conclusions currently being circulated to the Executive Committee Members for consideration during the forty-ninth plenary session of the Executive Committee.

56. Several delegations taking the floor expressed appreciation of the work being carried out, referring to the value of the open policy dialogue between UNHCR, Executive Committee Members and key development partners, which had taken place. A number of delegations went on to stress the limited role of UNHCR in reintegration operations and the need for a clear and early developed exit strategy for the Office. UNHCR was also commended for taking a broad view at the overall issues relating to the long and complicated process of reintegration, although stressing that the Office itself should only strive to fulfil a clearly defined and limited role in that process, as laid down in the *UNHCR's Operational Framework for Repatriation and Reintegration Activities in Post-Conflict Situations*. One delegation expressed the need to look not only at reintegration needs in war-to-peace situations, but also in the aftermath of the disintegration of the former Soviet Union and the immense task for reintegration in the Commonwealth of Independent States.

57. The Director concluded the agenda item by emphasizing that UNHCR was not looking for one model for reintegration. He highlighted the need to treat each reintegration operation as a unique case, requiring a tailored intervention beginning with early planning and the involvement of all actors, and also requiring the timely and coordinated efforts of donor countries.

X. MANAGEMENT AND FINANCIAL ISSUES

58. For the fourth time this year, the Director of Change Management updated on the Change Management process and introduced conference room paper EC/48/SC/CRP.44. He assured delegations that the design and development of UNHCR's new Operations Management System remains a high priority. He reviewed progress made in implementation of the protection database, the supply chain and replacement of information technology systems. Also mentioned were human resource management developments to enhance accountability and ensure that operations achieve appropriate results. Measures taken to strengthen UNHCR's financial management were noted, including the decentralization of certain financial functions.

59. The Director closed by saying that UNHCR is embarking upon a course which will result in improvements in the way in which it operates. However, he cautioned against raising undue expectations concerning the time that it will take to bring this about and said that commitment is needed, both from within UNHCR in terms of staff time and externally in terms of support from the Executive Committee.

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HIGH COMMISSIONER'S PROGRAMME

Forty-ninth session

REPORT ON THE WORK OF THE STANDING COMMITTEE

I. INTRODUCTION

1. At its forty-eighth session in October 1997, the Executive Committee adopted a decision on the programme of work of the Standing Committee in 1998 (A/AC.96/895, paragraph 24) in which it set out the issues to be examined by the Standing Committee.

2. In accordance with Executive Committee Working Methods adopted at the forty-sixth session (A/AC.96/860, paragraph 32), the Standing Committee held four meetings in the course of 1998: in February, April, June and September/October 1998. A planning meeting of Executive Committee members in December 1997 established the calendar of meetings and determined the distribution of the different agenda items (see Annex I).

3. A detailed account of the work undertaken at each of the meetings of the Standing Committee is contained in the following reports: A/AC.96/896: *Report of the Tenth Meeting of the Standing Committee (2-3 February 1998)*; A/AC.96/897: *Report of the Eleventh Meeting of the Standing Committee (28-29 April 1998)*; A/AC.96/905: *Report of the Twelfth Meeting of the Standing Committee (23-25 June 1998)*; A/AC.96/909: *Report of the Thirteenth Meeting of the Standing Committee (8-9 September and 2 October 1998)*.

Issues covered by the Standing Committee in 1998

4. The work undertaken by the Standing Committee included a number of recurrent items. As foreseen in the Decision on Budget Structure and Governance (A/AC.96/860, paragraph 22(l)), in-depth reviews of UNHCR programmes and activities in different regions were conducted at each of the meetings, allowing the Standing Committee to oversee more effectively the

evolution of General and Special Programmes in the areas concerned. Central Asia, South West Asia, North Africa and the Middle East were reviewed in February; Europe and former Yugoslavia in April; Africa in June; and the Americas and Asia and the Pacific in September.

5. In addition, the Standing Committee considered at each of its meetings regular updates on overall programme and funding issues, through which it kept abreast of the situation in terms of General and Special Programme budgets, funding, and allocations made from the various criteria funds (programme reserve, emergency fund and voluntary repatriation fund). In October, the Standing Committee reviewed a proposal for a new UNHCR budget structure, the result of consultations with Members and Observers of the Standing Committee during the year.

6. At its various meetings, the Standing Committee also reviewed programme policy issues. In February it examined new approaches to reintegration. In June, it reviewed UNHCR's efforts on behalf of refugee women, and in September and October it looked at developments within UNHCR in respect to elderly refugees and refugee children, including UNHCR's strategy for follow-up to the report on the impact of armed conflict on children, as well as a quantitative assessment of the economic and social impact of massive refugee populations on host developing countries on the basis of special case studies and a report resulting from a series of consultations on the nature and extent of UNHCR's involvement in reintegration activities, especially in regard to societies emerging from conflict.

7. In accordance with Executive Committee Working Methods (A/AC.96/865, paragraph 32(d)), the June meeting of the Standing Committee focused particularly on questions of international protection. Two days were devoted to consideration of the Note on International Protection (A/AC.96/882), which focused on the spectrum of the refugee experience in light of human rights principles, including the causes of refugee flows, asylum and the return of refugees to their country of origin. In addition, issues relating to resettlement, the application of the exclusion clauses, and composite flows and their relationship to refugee outflows, including return of persons not in need of international protection, as well as facilitation of return in its global dimension, were reviewed, as was a progress report on the informal consultations on international protection for all who need it. Conclusions resulting from the Standing Committee's consideration of these protection issues are being submitted to the forty-ninth session for adoption.

8. In light of the Secretary-General's United Nations reform proposals and related ECOSOC decisions, the Standing Committee in April reviewed UNHCR's efforts to situate itself within the United Nations system-wide reform process.

9. In terms of issues of oversight identified by the Executive Committee, in February the Standing Committee examined procurement and asset management within UNHCR, in April it looked at the use of consultants, in June it reviewed issues relating to programme and financial management, and in October the issue of implementing partners compliance with audit certification was reviewed. The Standing Committee also considered an evaluation of UNHCR's phase-out strategies in April as part of a continued discussion on new approaches to reintegration, including UNHCR's contribution to rehabilitation programmes in post-conflict societies.

10. A review of Executive Committee working methods, including programmes and their implementation, was undertaken by the Standing Committee in April. In line with Executive Committee working methods, the Standing Committee also undertook the selection of the annual theme for the forty-ninth session of the Executive Committee during its two sessions in April and June, adopting the theme of "international solidarity and burden-sharing in all its aspects: national, regional and international responsibilities for refugees".

11. With regard to management, financial and human resources matters, the Standing Committee was kept regularly apprised, by means of written and oral reports, of progress made in UNHCR's change management process. The Standing Committee also examined the overhead costs of non-governmental organization (NGO) implementing partners, training and the safety of UNHCR staff.

12. In addition, the Standing Committee undertook a preliminary review, in the light of the Report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) (A/AC.96/900/Add.3), of the budgetary and financial documentation being presented to the forty-ninth session of the Executive Committee.

Standing Committee decisions

13. In accordance with the authority vested in it by the Executive Committee, the Standing Committee adopted a number of decisions on matters included in its programme of work. The texts of these decisions are annexed to the reports of the different Standing Committee meetings, as follows:

A/AC.96/896: *Report of the Tenth Meeting of the Standing Committee (2-3 February 1998)*

- Decision on Programme and Funding Projections

A/AC.96/897: *Report of the Eleventh Meeting of the Standing Committee (28-29 April 1998)*

- Decision on Overhead Costs of International NGO Partners

A/AC.96/905: *Report of the Twelfth Meeting of the Standing Committee (23-25 June 1998)*

- Decision on Programme and Funding Projections
- Decision on Annual Theme of the Forty-ninth Session of the Executive Committee

Plenary decisions: preparation of drafts by the Standing Committee

14. On the basis of discussions undertaken in the course of the year, and in accordance with the Executive Committee's working methods, the Standing Committee initiated the preparation of draft decisions and conclusions for submission to the forty-ninth session of the Executive Committee. In a series of informal consultations under the chairmanship of the Rapporteur, the following draft decisions and conclusions have been discussed;

- General Conclusion on International Protection (item 5[1])
- Decision on Informal Consultations on Protection Issues (item 5)
- General Decision on Programme, Administrative and Financial Matters (item 5)
- Decision on Reintegration (item 5)
- Conclusion on the Follow-up to the CIS Conference (item 5)
- Decision on Programme of Work of the Standing Committee in 1999 (item 8)
- Decision on Government Observer Participation in 1998-1999 (item 8)
- Decision on the Provisional Agenda of the Fiftieth Session (item 9)

[1] Numbers refer to items on the agenda of the forty-ninth session of the Executive Committee.

CALENDAR

EXECUTIVE COMMITTEE STANDING COMMITTEE WORK PROGRAMME FOR 1998

	10th Meeting 2 - 3 February	11th Meeting 28 - 29 April	12th Meeting 23 - 25 June	13th Meeting 8 - 9 September
PROGRAMME AND FUNDING MATTERS	• Update on programmes and funding	• Update on programmes and funding • Review of General Programmes	• Update on programmes and funding	• Registration and statistics
SITUATION REPORTS	• CASWANAME • Other important developments	• Europe and the former Yugoslavia • Other important developments	• Africa (3 reports) • Other important developments	• Americas and Asia and the Pacific • Other important developments
INTERNATIONAL PROTECTION			• Note on International Protection • Resettlement • Application of exclusion clauses (oral report) • Composite flows • Progress report on Gap consultations	
PROTECTION/ PROGRAMME POLICY ISSUES	• New approaches to reintegration		• Refugee women (oral report)	• Refugee children and adolescents • Elderly refugees • Economic and social impact of massive refugee populations on host developing countries, as well as other countries; a quantitative assessment on the basis of special case studies
COORDINATION ISSUES		• Follow-up to the Secretary-General's United Nations reform proposals and related ECOSOC decisions		
OVERSIGHT ISSUES	• Procurement and asset management	• Consultants • Phase-out strategies (continuation of debate on new approaches to reintegration, including UNHCR's contribution to rehabilitation programmes in post-conflict societies)	• Programme and financial management	

	10th Meeting 2 - 3 February	11th Meeting 28 - 29 April	12th Meeting 23 - 25 June	13th Meeting 8 - 9 September
GOVERNANCE ISSUES		• Selection of annual theme for the forty-ninth session of the Executive Committee • Review of Executive Committee Working Methods, including programmes and their implementation	• Selection of annual theme for the forty-ninth session of the Executive Committee	
MANAGEMENT, FINANCIAL AND HUMAN RESOURCES MATTERS	• Outsourcing (oral report) • Update on Project Delphi	• Overhead costs of international NGO implementing partners • Training • Update on change management process	• Safety of UNHCR staff	

	Resumed Session (2 October)
PROGRAMME AND FUNDING MATTERS	• Overview of UNHCR activities including addenda on expenditure; review of budgetary and post requirements; update on programme and funding; report of the ACABQ; donor contributions • Proposal for UNHCR budget structure
FINANCIAL MATTERS	• Voluntary funds administered by the High Commissioner: Accounts for the year 1997 • Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds administered by UNHCR for the period ended December 1997 • Measures taken or proposed in response to the recommendations in the Report of the Board of Auditors
PROTECTION/ PROGRAMME POLICY ISSUES	• Reintegration
OVERSIGHT ISSUES	• Implementing partners compliance with audit certification
MANAGEMENT, FINANCIAL AND HUMAN RESOURCES MATTERS	• Update on change management

Forty-ninth Session of the Executive Committee 5 - 9 October

STANDING COMMITTEE DOCUMENTATION ISSUED DURING 1998

10th Meeting (2-3 February 1998)

EC/48/SC/CRP.1	Report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) to the General Assembly at its Fifty-Second Session on the Financial Reports and Audited Financial Statements, and Reports of the Board of Auditors
EC/48/SC/CRP.2	Provisional Annotated Agenda
EC/48/SC/CRP.3	Update on Regional Developments in Central Asia, South West Asia, North Africa and the Middle East
EC/48/SC/CRP.3/Add.1	Operational Maps
EC/48/SC/CRP.4	Overall Programme and Funding Projections for 1997 and 1998
EC/48/SC/CRP.5	Audit Follow-up: Procurement and Asset Management
EC/48/SC/CRP.6	Update on Project Delphi

11th Meeting (28-29 April 1998)

EC/48/SC/CRP.7	Draft Report of the Tenth Meeting of the Standing Committee (2-3 February 1998)
EC/48/SC/CRP.8	Provisional Annotated Agenda
EC/48/SC/CRP.9 and Corr.1	Update on Regional Developments in Europe
EC/48/SC/CRP.10	Update on Regional Developments in the former Yugoslavia
EC/48/SC/CRP.11	Update on Programme and Funding Projections for 1998
EC/48/SC/CRP.12	Review of General Programmes
EC/48/SC/CRP.13	Follow-up to the Secretary-General's United Nations Reform Proposals and Related ECOSOC Decisions
EC/48/SC/CRP.14	Oversight Issues : Consultants
EC/48/SC/CRP.15	Oversight Issues : Reintegration
EC/48/SC/CRP.16	Summary of the Synopsis Report on the *Review of UNHCR's Phase-Out Strategies: Case Studies in Selected Countries of Origin*
EC/48/SC/CRP.17	Update on the Change Management Process
EC/48/SC/CRP.18	Overhead Costs of International NGO Partners

EC/48/SC/CRP.19	Staff Training in UNHCR: An Update on Recent Developments
EC/48/SC/CRP.20	Information Note on Income and Expenditure for the Year 1997

12th meeting (23-25 June 1998)

EC/48/SC/CRP.21	Draft Report of the Eleventh Meeting of the Standing Committee (28-29 April 1998)
EC/48/SC/CRP.22	Provisional Annotated Agenda
EC/48/SC/CRP.23	Update on Developments in the Southern African Region
EC/48/SC/CRP.24	Update on Regional Developments in the Central, East and West Africa
EC/48/SC/CRP.25 and Corr.1	Update on Developments in the Great Lakes Region of Africa
EC/48/SC/CRP.26	Update on Programme and Funding Projections for 1998 and Tentative Estimates for the 1999 General Programmes Target
EC/48/SC/CRP.27	Note on International Protection
EC/48/SC/CRP.28	Note on Resettlement of Refugees with Special Needs
EC/48/SC/CRP.29	Composite Flows and the Relationship to Refugee Outflows, Including Return of Persons not in Need of International Protection, as well as Facilitation of Return in its Global Dimension
EC/48/SC/CRP.30	Audit Follow-up: Financial Management and Programme Management
EC/48/SC/CRP.31	Note on Safety of UNHCR Staff
EC/48/SC/CRP.32	Progress Report on Informal Consultations on the Provision of International Protection to all who Need it

13th meeting (8-9 September 1998 and 2 October 1998)

EC/48/SC/CRP.33	Draft Report of the Twelfth Meeting of the Standing Committee (23-25 June 1998)
EC/48/SC/CRP.34/Rev.1	Provisional Annotated Agenda
EC/48/SC/CRP.35	Refugee Registration and Statistics
EC/48/SC/CRP.36	Update on Regional Developments in the Americas
EC/48/SC/CRP.37	Update on Regional Developments in Asia and the Pacific

EC/48/SC/CRP.38	Refugee Children and Adolescents, Including Follow-up to the 1997 Evaluation and Report on Implementation of the Machel Study
EC/48/SC/CRP.39	The Situation of Older Refugees
EC/48/SC/CRP.40	Economic and Social Impact of Massive Refugee Populations on Host Developing Countries, as well as other Countries: a Quantitative Assessment on the Basis of Special Case Studies
EC/48/SC/CRP.41	Implementing Partners Compliance with Audit Certification
EC/48/SC/CRP.42	Consultations on Reintegration
EC/47/SC/CRP.43	Proposal on UNHCR Budget Structure
EC/48/SC/CRP.44	Update on the Change Management Process

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-ninth session

REPORT OF THE FORTY-NINTH SESSION OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

(Geneva, 5 - 9 October 1998)

GE.98-03464

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ANNEX I: Decisions adopted by the Standing Committee in 1998

ANNEX II: Opening Statement by the United Nations High Commissioner for Refugees at the Forty-ninth Session of the Executive Committee of the High Commissioner's Programme

ANNEX III: Chairman's Summary of Agenda Item 4: Annual Theme (International Solidarity and Burden-Sharing in all its Aspects: National, Regional and International Responsibilities for Refugees)

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I. INTRODUCTION

A. Opening of the Session

1. The Ex cutive Committee of the High Commissioner's Programme held its forty-ninth session at the Palais des Nations in Geneva from 5 to 9 October 1998. It was opened by the outgoing Chairman, His Excellency Mr. Björn Skogmo (Norway).

2. Ambassador Skogmo congratulated the High Commissioner on her re-election by the General Assembly, commending her on her outstanding leadership of the Office.

3. Ambassador Skogmo noted that instability in certain regions of the world posed new challenges for humanitarian action, particularly in the contemporary context of funding problems and programme cutbacks. He called on States to respect the obligations they have undertaken under international refugee and humanitarian law, as well as under human rights instruments, and emphasized UNHCR's core mandate of protection.

4. In commenting on the pressures facing UNHCR, the outgoing Chairman highlighted the fact that a large number of persons, some 22 million, remain of concern to the Office. The impact of these persons on hosting countries, as well as on the countries of origin when repatriation and reintegration activities are undertaken, he remarked, requires a response from the international humanitarian community in the spirit of solidarity and burden-sharing. In addition, he noted the need for a balance between the accountability and transparency required by donor Governments and the operational flexibility/effectiveness necessary in the many difficult and insecure situations where UNHCR pursues it's mandate.

5. The spirit of consensus which had characterized Executive Committee and Standing Committee discussions, as well as informal consultations, during the year was underlined and commended by the Ambassador. He was encouraged by the participation by other United Nations agencies, other humanitarian agencies and representatives of the Bretton Woods institutions in meetings of the Standing Committee and consultations during 1998. He also expressed satisfaction with the enhanced participation of non-governmental organizations as Observers in meetings of the Standing Committee over the past year.

6. Ambassador Skogmo concluded by emphasizing the need to continue efforts to ensure the safety of refugees and displaced persons, as well as those who are mandated to protect them. He also called on States to give more predictable financial support to UNHCR than at present.

B. Election of Officers

7. Under Rule 10 of Rules of Procedure, the Committee elected the following officers by acclamation:

Chairman:	Ambassador Victor Rodríguez Cedeño (Venezuela)
Vice-Chairman:	Ambassador Raimundo Pérez-Hernández y Torra (Spain)
Rapporteur:	Mr. Liu Xinsheng (China)

C. Representation on the Committee

8. The following members of the Committee were represented at the session:

Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Canada, China, Colombia, Democratic Republic of the Congo, Denmark, Ethiopia, Finland, France, Germany, Greece, Holy See, Hungary, India, Iran (Islamic Rep. of), Ireland, Israel, Italy, Japan, Lebanon, Lesotho, Madagascar, Morocco, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Poland, Russian Federation, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Venezuela.

9. The Governments of the following States were present as observers:

Afghanistan, Albania, Angola, Armenia, Azerbaijan, Belarus, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Central African Republic, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Georgia, Ghana, Guatemala, Guinea, Honduras, Iceland, Indonesia, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mexico, Monaco, Mozambique, Myanmar, Nepal, New Zealand, Panama, Peru, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Sri Lanka, Swaziland, The former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine, Uruguay, Yemen, Zambia, Zimbabwe.

10. Palestine was represented as an observer.

11. The European Commission, the Council of the European Union, the International Committee of the Red Cross, the Federation of Red Cross and Red Crescent Societies and the Sovereign Order of Malta were also represented as observers.

12. The United Nations system was represented as follows:

United Nations Office at Geneva (UNOG), Office of the United Nations High Commissioner for Human Rights (OHCHR), Office for the Coordination of Humanitarian Affairs (OCHA), United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Volunteers (UNV), United Nations Environment Programme (UNEP), United Nations Population Fund (UNFPA), World Food Programme (WFP), United Nations Centre for Human Settlements (Habitat), United Nations Institute for Training and Research (UNITAR), International Labour Office (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), United Nations Industrial Development Organization (UNIDO).

13. The following intergovernmental organizations were represented by observers:

League of Arab States, Organization of African Unity (OAU), Organization of the Islamic Conference (OIC), Council of Europe, International Organization for Migration (IOM).

14. A total of 90 non-governmental organizations were represented by observers.

D. Adoption of the Agenda and other Organizational Matters

15. The Executive Committee adopted by consensus the following agenda (A/AC.96/908):

1. Opening of the session

2. Election of officers

3. Adoption of the agenda and other organizational matters

4. Annual theme: International Solidarity and Burden-Sharing in all its Aspects: National, Regional and International Responsibilities for Refugees

5. Reports on the work of the Standing Committee

   (a) International protection

   (b) Programme, administrative and financial matters

6. Consideration and adoption of programme budgets

7. Reports relating to programme oversight

8. Meetings of the Standing Committee in 1999

9. Consideration of the provisional agenda of the fiftieth session of the Executive Committee

10. Any other business

11. Adoption of the report of the forty-ninth session of the Executive Committee

12. Closure of the session

E. Opening Statement by the Chairman of the Executive Committee

16. The incoming Chairman, His Excellency Mr. Victor Rodríguez Cedeño, paid tribute to the High Commissioner and her staff for their untiring dedication to the cause of refugees, despite the enormous difficulties and risks that it entails.

17. The massive displacement of people within territories or beyond borders was highlighted by Ambassador Rodríguez as one of the most sensitive subjects of contemporary international affairs. He stressed that the protection of refugees, in particular women, children and adolescents, as well as older refugees, the provision of assistance to them and the search for durable

solutions to their situation was not only the responsibility of the countries directly involved, but of the whole international community.

18. The role of UNHCR in responding to the problems posed by the massive displacement of people was characterized by the Chairman as praiseworthy and fundamental. He urged the international community to give priority and financial support to the Office so as to enable it to continue to carry out it's mandate effectively.

19. Ambassador Rodríguez expressed hope that the Executive Committee, through its conclusions and decisions, would continue to contribute to the creation of norms and principles that will lead to greater efficacy in addressing the problem of displacement around the world. In concluding, the Chairman emphasized the importance of the debate on the broad and multifaceted annual theme of the forty-ninth session of the Executive Committee, which, he commented, accurately reflected the complex agenda before the Committee.

II. WORK OF THE FORTY-NINTH SESSION

20. The High Commissioner delivered an opening statement to the Executive Committee, which is reproduced in Annex II. The Chairman's Summary of agenda item 4 is contained in Annex III. The full account of the deliberations of the Committee, including the statements or other interventions made by delegations on all the agenda items of the meeting, as well as the closing statements by the Chairman and the High Commissioner, are contained in the summary records of the session.

III. DECISIONS AND CONCLUSIONS OF THE EXECUTIVE COMMITTEE

A. Conclusion and Decision on International Protection

1. Conclusion on International Protection

21. The Executive Committee,

The protection situation

(a) Welcomes that many States continue to grant asylum to refugees, both on an individual basis and in situations of mass influx, in accordance with international law and with internationally established principles and standards, but deplores the numerous and serious breaches of such law, principles and standards by some States;

(b) Deplores, in particular, that in certain situations, refugees, as well as returnees and other persons of concern to UNHCR, have been subjected to armed attacks, murder, rape and other serious violations of or threats to their personal security, including through denial of access to safety, *refoulement* or expulsion to highly dangerous situations;

(c) Expresses deep concern about the increasing use of war and violence as a means to carry out persecutory policies against groups targeted on account of their race, religion, nationality, membership of a particular social group, or political opinion;

(d) Reiterates that refugee protection is primarily the responsibility of States and that it is best achieved through effective cooperation between all States and UNHCR, as well as other international organizations and pertinent actors, in a spirit of international solidarity and burden-sharing;

(e) Encourages UNHCR and States to strengthen their efforts to promote broader accession to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and to cooperate to promote a universal and full implementation of these instruments;

Human rights and refugee protection

(f) Notes that the 50th anniversary of the Universal Declaration of Human Rights is being commemorated this year and reaffirms that the institution of asylum, which derives directly from the right to seek and enjoy asylum from persecution set out in Article 14 of the Declaration, is among the most basic mechanisms for the protection of refugees;

(g) Recognizes that the refugee experience, in all its stages, is closely linked to the degree of respect by States for human rights and fundamental freedoms and the related refugee protection principles, and reaffirms the importance in this regard of educational and other programmes to combat racism, discrimination and xenophobia, to promote tolerance and respect for all persons and their human rights, to advance the rule of law and legal and judicial capacity-building, and to strengthen civil society and sustainable development;

(h) Deplores that serious and repeated violations of human rights and fundamental freedoms, which are one of the principal reasons for refugee flows, continue both in peace and in times of armed conflict;

(i) Encourages UNHCR to strengthen further its collaboration with the Office of the High Commissioner for Human Rights and with relevant human rights bodies and mechanisms, as well as with non-governmental organizations, with a view to strengthening refugee protection, keeping in mind the need to improve coordination, promote complementarity, avoid duplication of efforts and to preserve the distinct character of the respective mandates;

(j) Deplores gender-related violence and all forms of discrimination on grounds of sex directed against refugee and displaced women and girls, and calls on States to ensure that their human rights and physical and psychological integrity are protected, and that they are made aware of these rights;

(k) Remains deeply concerned also about continuing violations of the rights of refugee children, including through abduction with a view to forcing participation in military activities, as well as through acts of violence, threats to their dignity, forced family separation, and sexual abuse and exploitation, and calls on States and relevant parties to take all necessary measures to end these violations, in compliance with principles and standards of refugee law, human rights law and humanitarian law;

(l) Notes that 1999 has been declared the International Year of Older Persons, and calls upon UNHCR to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

(m) Reaffirms the importance of the right to a nationality and calls on States to adopt all necessary measures to prevent or reduce the incidence of statelessness, including through national legislation and, as appropriate, accession to and implementation of the Statelessness Conventions; draws particular and urgent attention in this regard to the situation of children of refugees and asylum-seekers born in asylum countries who could be stateless unless appropriate legislation and registration procedures are in place and are followed;

The right to seek and enjoy asylum

(n) Underlines the utmost significance to refugee protection of the institution of asylum, which serves the purpose of providing a structured framework for protection and assistance to persons in need of international protection, while ensuring that appropriate durable solutions can be achieved;

(o) Reiterates its commitment to uphold the principles of international solidarity and burden-sharing, reaffirms the need for resources to be mobilized to assist countries receiving refugees, particularly developing countries who host the large majority of the world's refugees and bear a heavy burden in this regard, and calls upon Governments, UNHCR and the international community to continue to respond to the asylum and assistance needs of refugees until durable solutions are found;

(p) Recognizes that international solidarity and burden-sharing are of direct importance to the satisfactory implementation of refugee protection principles; stresses, however, in this regard, that access to asylum and the meeting by States of their protection obligations should not be dependent on burden-sharing arrangements first being in place, particularly because respect for fundamental human rights and humanitarian principles is an obligation for all members of the international community;

(q) Strongly deplores the continuing incidence and often tragic humanitarian consequences of *refoulement* in all its forms, including through summary removals, occasionally *en masse*, and reiterates in this regard the need to admit refugees to the territory of States, which includes no rejection at frontiers without access to fair and effective procedures for determining their status and protection needs;

(r) Strongly urges States to devise and implement procedures for handling refugee claims which are consistent with protection principles provided for in applicable universal refugee instruments and in regional refugee instruments, consistent with international standards, as well as with the standards recommended by the Executive Committee;

(s) Notes with concern reports from countries that there is an increasing trend towards the misuse or abuse of national refugee status

determination procedures; acknowledges the need for States to address this problem both at the national level and through international cooperation; urges, however, States to ensure that national law and administrative practices, including migration control measures, are compatible with the principles and standards of applicable refugee and human rights law, as set out in relevant international instruments;

(t) Emphasizes the duty of asylum-seekers and refugees to comply with the laws and regulations of the country in which they find themselves;

Family unity

(u) Recalls that Articles 16(3) of the Universal Declaration of Human Rights and 23(1) of the International Covenant on Civil and Political Rights proclaim that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State;

(v) Recommends that Governments take appropriate measures to ensure that the unity of the family is maintained, particularly in cases where the head of the family has been admitted as a refugee to a particular country;

(w) Exhorts States, in accordance with the relevant principles and standards, to implement measures to facilitate family reunification of refugees on their territory, especially through the consideration of all related requests in a positive and humanitarian spirit, and without undue delay;

(x) Encourages States, which have not already done so, to consider developing the legal framework to give effect at the national level to a right to family unity for all refugees, taking into account the human rights of the refugees and their families;

Composite flows and facilitation of return

(y) Emphasizes that outflows of people may include refugees and persons not in need of or not entitled to international protection and, therefore, notes that making a proper and careful differentiation between the two groups is of paramount importance for the identification of any protection needs which would make return inappropriate;

(z) Reaffirms the fundamental right of all people to leave and to return to their own countries, as well as the obligation of States to receive back their own nationals, and remains seriously concerned, as regards the return of persons not in need of international protection, that some countries continue to restrict the return of their nationals, either outright or through laws and practices which effectively block expeditious return;

(aa) Stresses that, as regards the return to a third country of an asylum-seeker whose claim has yet to be determined from the territory of the country where the claim has been submitted, including pursuant to bilateral or multilateral readmission agreements, it should be established that the third country will treat the asylum-seeker (asylum-seekers) in accordance with accepted international standards, will ensure effective protection against *refoulement*, and will provide the

asylum-seeker (asylum-seekers) with the possibility to seek and enjoy asylum;

(bb) Deeply deplores the use of those practices for the return of asylum-seekers and persons not in need of international protection which seriously endanger their physical safety and reiterates in this regard that, irrespective of the status of the persons concerned, returns should be undertaken in a humane manner and in full respect for their human rights and dignity and without resort to excessive force;

Detention of asylum-seekers

(cc) Recalls Article 31 of the 1951 Convention relating to the Status of Refugees and reaffirms Conclusion No. 44. (XXXVII) on the detention of refugees and asylum-seekers;

(dd) Deplores that many countries continue routinely to detain asylum-seekers (including minors) on an arbitrary basis, for unduly prolonged periods, and without giving them adequate access to UNHCR and to fair procedures for timely review of their detention status; notes that such detention practices are inconsistent with established human rights standards and urges States to explore more actively all feasible alternatives to detention;

(ee) Notes with concern that asylum-seekers detained only because of their illegal entry or presence are often held together with persons detained as common criminals, and reiterates that this is undesirable and must be avoided whenever possible, and that asylum-seekers shall not be located in areas where their physical safety is in danger;

Durable solutions

(ff) Urges States, particularly countries of origin of refugees, resolutely to cooperate at the bilateral, regional and universal levels to address the underlying causes of refugee flows, both in a preventive and curative manner, and to facilitate just and lasting solutions;

(gg) Recalls Conclusion No.62 (XLI) which states that voluntary repatriation, local integration and resettlement, that is, the traditional solutions for refugees, all remain viable and important responses to refugee situations, even while voluntary repatriation is the pre-eminent solution;

(hh) Calls upon countries of origin, countries of asylum, UNHCR, and the international community to take all necessary measures to enable refugees to exercise freely their right to return to their homes in safety and dignity;

(ii) Emphasizes the importance of reconciliation for facilitating and ensuring the durability of return, and calls upon States and all other actors, including the refugees themselves, to cooperate willingly and generously in all initiatives undertaken to bring lasting peace and justice to reintegrating communities;

(jj) Reaffirms the continuing importance of resettlement as an instrument of protection and an element of burden-sharing; calls on UNHCR to continue to work with resettlement countries to improve the efficiency and timely provision of resettlement opportunities for those where resettlement is the appropriate solution; encourages States which have not already offered resettlement opportunities to refugees, and which are capable of doing so, to join in offering such opportunities, and calls on States and UNHCR to pay particular attention to the resettlement of individual refugees with special protection needs, including women-at-risk, minors, adolescents, elderly refugees, and survivors of torture.

2. Decision on Informal Consultations on Protection Issues

22. The Executive Committee,

Affirms that the informal consultations on measures to ensure international protection for all who need it have proved to be a valuable forum for constructive discussion of complex protection issues in an open manner; and requests UNHCR, in consultation with States, to continue to organize from time to time, within the limits of available resources, and with broadly based participation, informal expert consultations on protection issues of current concern.

B. General Decision on Administrative, Financial and Programme Matters

23. The Executive Committee,

Administrative and financial matters

(a) Confirms that the activities proposed under General and Special Programmes as set out in document A/AC.96/900 have been found, on review, to be consistent with the Statute of the Office of the High Commissioner (General Assembly Resolution 428 (V)), the High Commissioner's "Good Offices" functions as recognized, promoted or requested by the General Assembly, the Security Council, or the Secretary-General, and the relevant provisions of the *Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees* (A/AC.96/503/Rev.6);

(b) Requests the High Commissioner, within the resources available, to respond flexibly and efficiently to the needs currently indicated under 1999 General and Special Programmes which are tentatively estimated at $ 842.2 million, and to any other new needs that might arise, bearing in mind the Statute of the Office and the relevant provisions of the Financial Rules for Voluntary Funds;

(c) Approves the revised 1998 General Programmes budget amounting to $ 428,973,500 as detailed in document A/AC.96/900 (Table II.5, column 3);

(d) Approves likewise the country/area programmes, Other Programmes and the Headquarters budgets under the 1999 General Programmes amounting to $ 334,600,000, as well as a Programme Reserve of $ 33,400,000 (representing 10 per cent of programmed activities), and $ 25,000,000 for the Emergency Fund, and $ 20,000,000 for the Voluntary Repatriation Fund, all of which are detailed in document A/AC.96/900 (Table II.5, column 4), and which constitute a 1999 total General Programmes budget

of $ 413,000,000; and authorizes the High Commissioner within this approved level, to effect adjustments in projects, country/area programmes, Other Programmes and the Headquarters budgets, as may be required by changes affecting the refugee/returnee programmes for which they were planned;

(e) Notes the *Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 1997* (A/AC.96/901), the *Report of the ACABQ on UNHCR Activities financed from Voluntary Funds: Report for 1997-1998 and proposed budget for 1999* (A/AC.96/900/Add.3), the *Report of the High Commissioner on the work of the Inspection and Evaluation Activities* (A/AC.96/902), and requests to be kept regularly informed on the measures taken to address the recommendations and the observations raised in these various oversight documents;

(f) Notes the Audit Opinion of the Board of Auditors on the Accounts of the Voluntary Funds administered by the United Nations High Commissioner for Refugees for the year ended 1997, and, in particular, its overall conclusion, that the transactions of the United Nations High Commissioner for Refugees which were tested as part of the audit, were in all significant respects in accordance with the Financial Regulations and Legislative Authority; and takes note also of the follow-up action proposed by the High Commissioner to the recommendations contained therein; and, having conducted a thorough review of these documents, reaffirms its support for the High Commissioner's ongoing efforts to ensure good management standards through, *inter alia*, a sustained and systematic follow-up to the observations and recommendations of the Board of Auditors, and the related Reports of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Fifth Committee, and relevant resolutions of the General Assembly;

(g) Requests UNHCR, in the light of discussions at the thirteenth meeting of the Standing Committee, to consult with the Board of Auditors on the implications of submitting biennial audit reports and its present method of recognizing income, and to keep the Standing Committee informed of the outcome of these consultations;

(h) Urges UNHCR to maintain its efforts to ensure that audit certificates are submitted by all implementing partners within the stipulated time-frame, and, where necessary, to assist, either directly or with the help of international non-governmental organizations, national non-governmental organizations to conform with this requirement;

(i) Notes the comments of the ACABQ (A/AC.96/900/Add.3, paragraphs 32-42) on UNHCR's proposed new budget structure, and requests UNHCR to convene further consultations with Member States on the issues raised by the ACABQ, including the question of a single operational reserve, with a view to preparing a prototype of a consolidated budget to be reviewed by the ACABQ in the first part of 1999;

(j) Notes that beginning with the budget for the year 2000, UNHCR will adopt new definitions of "Programme Support", "Management and Administration" and "Programme" as set out in document EC/48/SC/CRP.43, and which will be in harmony with those used by UNICEF, UNDP and UNFPA;

(k) Urges Member States, in the light of the extensive needs to be addressed by the Office of the High Commissioner, to respond generously and in a spirit of solidarity, and in a timely manner, to her appeals for resources.

Programme matters

(l) Urges the High Commissioner to ensure a more sustained and comprehensive follow-up to the 1997 Evaluation of UNHCR's Efforts on Behalf of Children and Adolescents and to the Machel Study through the mainstreaming of initiatives in this regard and requests a progress report in the course of the fiftieth session of the Executive Committee;

(m) Welcomes the strategies proposed by UNHCR (EC/48/SC/CRP.39) for addressing the needs of older refugees and for capitalizing on their potential contribution to their communities, and the initiatives proposed to highlight the situation of older refugees in the course of the International Year of Older Persons, and requests that a report on these strategies and initiatives be presented in the course of the fiftieth session of the Executive Committee;

(n) Expresses appreciation for the work currently in progress in UNHCR in the field of repatriation and reintegration of refugees, as expressed in *UNHCR's Operational Framework for Repatriation and Reintegration Activities in Post-Conflict Situations*, and calls upon the High Commissioner to inform the fiftieth session of the Executive Committee of progress achieved in elaborating this Operational Framework, and particularly of progress achieved in engaging other humanitarian and development agencies, including non-governmental organizations, as well as international financial institutions, on this subject.

(o) Calls on Member States to ensure a coherent and complementary approach to reintegration and reconstruction in the Executive Boards of development organizations, taking into account the specific need to consolidate the reintegration of returning displaced persons.

C. Conclusion on the CIS Conference Follow-up

24. The Executive Committee,

Recalling the Programme of Action adopted in May 1996 by the Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighboring countries and the conclusions of the Executive Committee at its forty-seventh and forty-eighth sessions;

(a) Reaffirms the importance and continuing validity of the CIS Conference Programme of Action and the follow-up process to promote its implementation and stresses the necessity to reinvigorate joint efforts in this regard;

(b) Welcomes the progress made in a number of the countries of the Commonwealth of Independent States in implementing the Programme of Action in both governmental and non-governmental sectors;

(c) Calls upon Governments in all countries of the Commonwealth of Independent States, who bear the primary responsibility for addressing the acute problems of population displacement that they face, to strengthen their commitment, both practical and political, to implementing the Programme of Action to ensure more consistent and far-reaching progress, especially in the fields of human rights and refugee protection, and the problems of formerly deported peoples;

(d) Welcomes the accession by Turkmenistan to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and invites the Commonwealth of Independent States to intensify their efforts to accede to relevant international instruments and to give legislative and administrative effect to them;

(e) Notes the importance of joint efforts to overcome the constraints in implementing the Programme of Action, by achieving, *inter alia*, a higher level of political support, durable political solutions to conflicts, further democratization and building of civil society, full implementation of legislation, adequate cooperation on a regional or bilateral level, deeper involvement of international financial institutions and development agencies, availability of financial resources;

(f) Notes with concern the serious security situation in a number of areas which have led to the loss of life and kidnapping of humanitarian personnel and which hamper the implementation of humanitarian programmes, and calls on all countries of the Commonwealth of Independent States to ensure the safety of humanitarian personnel;

(g) Notes that the serious challenges faced by the countries of the region cannot be met by the resources and experience of those countries alone;

(h) Welcomes the support rendered by other States to the process so far, including the reaffirmation of that support at the meeting of the Steering Group in June 1998, and calls on States to continue and intensify their cooperation and support in the spirit of international solidarity and burden-sharing to assist the countries of the Commonwealth of Independent States in implementing the Programme of Action;

(i) Appreciates the efforts made by the High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe to support implementation of the Programme of Action, ensure follow-up and to mobilize resources for this, and calls on them to strengthen their efforts and mutual cooperation;

(j) Urges the High Commissioner to continue to inform the public and further to enhance relationships with other key international actors, such as the Council of Europe, the European Commission and other human rights, development and financial institutions;

(k) Invites the High Commissioner to organize consultations with participants of the CIS Conference in order to make the follow-up process more active and dynamic;

(l) Welcomes the progress made in building civil society, particularly through the development of the non-governmental sector, the development of cooperation between non-governmental organizations (NGOs) and the Governments of a number of countries of the Commonwealtn of Independent States, notes in this regard the relation between the progress made in implementing the Programme of Action and the success in promoting civil society, especially in the field of human rights;

(m) Calls on Governments of the countries of the Commonwealth of Independent States to further facilitate the formation and work of NGOs and, along with international organizations, to further strengthen their cooperation with NGOs and increase their involvement in the CIS Conference follow-up process;

(n) Requests the High Commissioner to keep the Executive Committee informed of measures taken and of progress achieved in the implementation of the Programme of Action.

D. Decision on Programme of Work of the Standing Committee in 1999

25. The Executive Committee,

Having reviewed the issues before it at its forty-ninth session, including the annual theme on international solidarity and burden-sharing in all its aspects: national, regional and international responsibilities for refugees, and the *Report on the Work of the Standing Committee* (A/AC.96/910), and having in mind the decisions and conclusions of its forty-ninth session;

(a) Decides to adopt the following framework for the programme of work of its Standing Committee in 1999, and requests that UNHCR include in its documentation on each item the relevant audit and ACABQ recommendations as well as steps taken to implement those recommendations and related Executive Committee decisions and conclusions:

International Protection

- Note on International Protection

Protection/Programme Policy Issues

Programme and Funding Matters

- Region by region review of General and Special Programmes
- Updates on programmes and funding, including reviews of the use of the emergency fund, programme reserve and voluntary repatriation fund

Management, Financial and Human Resources Matters

Oversight Issues

Coordination Issues

Governance Issues

- Selection of annual theme for the fiftieth session

(b) Authorizes the Standing Committee to add and to delete items, as appropriate, to its inter-sessional programme of work;

(c) Decides to convene three meetings of the Standing Committee in 1999 to be held in February, June and prior to the fiftieth plenary session Executive Committee;

(d) Requests that Member States review, at a Planning Meeting scheduled for December 1998, proposals for inclusion in the work programme for 1999, bearing in mind the desirability of scheduling items over a biennial or longer period, with a view to submitting their agreed work programme to the first Standing Committee in 1999 for formal adoption;

(e) Calls on the Standing Committee to report on its work to the fiftieth session of the Executive Committee.

E. Decision on Observer Participation in 1998-1999

26. The Executive Committee,

(a) Approves applications by the following Government Observer delegations for participation in meetings of the Standing Committee from October 1998 to October 1999:

Chile, Croatia, Dominican Republic, Cuba, Cyprus, Czech Republic, Ecuador, Egypt, El Salvador, Guatemala, Kenya, Luxembourg, Myanmar, New Zealand, Peru, Portugal, Republic of Korea, Slovakia, Slovenia, Ukraine, Uruguay, Swaziland, Yemen, Zambia, Zimbabwe.

(b) Authorizes the Standing Committee to decide upon any additional applications from Government Observer delegations to participate in its meetings during the aforementioned period;

(c) Approves the following list of intergovernmental and international organizations to be invited by the High Commissioner to participate as observers in relevant meetings of its subsidiary bodies from October 1998 to October 1999:

United Nations specialized agencies, departments, funds and programmes, European Commission, International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies, Sovereign Order of Malta, Executive Secretariat of the Commonwealth of Independent States, League of Arab States, Organization of African Unity, Council of Europe, International Organization for Migration.

(d) Recalls the decision of the Standing Committee that non-governmental organizations registered at the forty-eighth plenary of the Executive Committee are invited to attend Standing Committee meetings in 1997/1998 as observers, upon written request from the individual non-governmental organizations (NGOs) concerned, and requests the Standing Committee, at its first meeting in 1999, to review these arrangements.

G. Decision on the Provisional Agenda of the Fiftieth Session

27. The Executive Committee,

(a) Decides to adopt the following provisional agenda for the fiftieth session of the Executive Committee:

1. Opening of the session
2. Election of officers
3. Adoption of the agenda and other organizational matters
4. Annual theme
5. Reports on the work of the Standing Committee as they relate to:
   (i) international protection and
   (ii) programme, administrative and financial matters
6. Consideration and adoption of programme budgets
7. Reports relating to programme oversight
8. Meetings of the Standing Committee in 2000
9. Consideration of the provisional agenda of the fifty-first session of the Executive Committee
10. Any other business
11. Adoption of the draft report of the fiftieth session of the Executive Committee
12. Closing of the session

H. Decision on Staff Security

28. The Executive Committee,

Conscious of the increasing insecurity under which humanitarian workers have to operate;

And concerned at the continued captivity of the Head of the UNHCR Office in the northern Caucasus, Mr. Vincent Cochetel;

(a) Calls on all those who may be in a position to facilitate his immediate release, to make every effort to this end.

DECISIONS ADOPTED BY THE STANDING COMMITTEE IN 1998

In accordance with the authority vested in it by the Executive Committee, the Standing Committee in 1998 adopted a number of decisions on matters included in its programme of work. The texts of these decisions are annexed to the reports of the different Standing Committee meetings as follows:

A/AC.96/896: *Report of the Tenth Meeting of the Standing Committee (2-3 February 1998)*

- Decision on Programme and Funding Projections

A/AC.96/897: *Report of the Eleventh Meeting of the Standing Committee (28-29 April 1998)*

- Decision on Overhead Costs of International NGO Partners

A/AC.96/905: *Report of the Twelfth Meeting of the Standing Committee (23-25 June 1998)*

- Decision on Programme and Funding Projections
- Decision on Annual Theme of the Forty-ninth Session of the Executive Committee

Opening Statement by the United Nations High Commissioner for Refugees at the Forty-ninth Session of the Executive Committee of the High Commissioner's Programme

(Monday, 5 October 1997)

Mr Chairman, Excellencies, Distinguished Delegates, President Sommaruga, Ladies and Gentlemen,

Welcome to the 49th session of this Executive Committee. I would like to congratulate the new Bureau and particularly you, Ambassador Rodriguez Cedeño, on your election. Your country, Venezuela, represents a region which, after witnessing many refugee problems, saw the implementation of some of the most visionary and comprehensive solutions to displacement crises. I am deeply grateful to Ambassador Skogmo of Norway, the outgoing Chairman. His leadership, support and commitment throughout the past year have been truly exceptional. His exemplary contribution to the cause of refugees will not be forgotten.

Let me extend a warm welcome to Mr Cornelio Sommaruga, President of the International Committee of the Red Cross, who has kindly accepted my invitation to address the Committee today. It is a pleasure and an honour to share the podium with the leader of an organization whose purposes and ideals are so central to humanitarian work. While our mandates remain distinct, we share many challenges. In the field, our staff work side by side in alleviating the plight of those uprooted by violence. I have personally benefited many times from Mr. Sommaruga's forward-looking advice and support. There can be no more inspiring way to begin our discussions.

As you know, upon the recommendation of the Secretary-General, the General Assembly of the United Nations on 29 September re-elected me as High Commissioner for Refugees. Upon my request, this third mandate will end on 31 December of the year 2000, when I shall have been in office for ten years. In opening this session, I wish to therefore sincerely thank all governments, and Secretary-General Kofi Annan, for their trust and confidence. I also wish to thank all UNHCR staff , and in particular the Deputy and Assistant High Commissioners, for their dedication and hard work.

Be assured that I do not take your support for granted. On the contrary, more than ever I realize the challenge of accepting the responsibility to protect refugees today. Looking at the world around us, I see many, serious reasons for concern: continued or renewed conflict in many parts of Africa, the social and economic crisis in the Russian Federation, the slowing down of some key peace processes, and the financial turmoil in Asia, are just a few obvious examples. On the other hand, the role of the state is profoundly affected by the globalization of economics, technology and information. This has of course a bearing on international organizations, including the United Nations, and including the manner in which governments, and my Office, carry out their responsibilities towards refugees and other forcibly uprooted people.

Peace is more fragile, solutions more difficult

Grave human displacement crises have occurred since we last met. Their pattern, however, differs from the humanitarian catastrophes of the early 1990s: we now have scattered emergencies, smaller in size and with limited international visibility. UNHCR has had to reinforce its field presence many times, by deploying up to one hundred staff on emergency missions. Although previously an increased trend towards repatriation had given rise to the hope that refugee problems would be reduced, this year the overall figure of people of concern to UNHCR has only marginally decreased.

The main reason for this stagnation is undoubtedly the increase in the number and frequency of conflicts. This has two main consequences on our work: first, the prevalence in the use of military force over political negotiations slows down or even blocks solutions to refugee problems; second, if political settlements are reached, and displaced people can return voluntarily, they often return to a "fragile peace". Let me give you some examples.

In Afghanistan, internal fighting has continued, compounded by grave violations of human rights. Although this year more than 80,000 Afghan refugees have decided to return home from Pakistan in spite of the unstable situation, returns from Iran have been very low, and reintegration activities have virtually stopped. In Georgia, internal conflict broke out again in May, and 40,000 people fled the Gali area -- for most of them this was the second time to be displaced, and 1,500 houses, many recently rehabilitated with UNHCR funds, were looted and burnt. In Cambodia, sporadic violence has affected the peace process, which was interrupted by last year's conflict; as a result, 39,000 Cambodians remain in refugee camps in Thailand. It must be noted that Thailand also hosts approximately 100,000 refugees from Myanmar along the border between the two countries. The principles and modalities for an enhanced UNHCR presence in this area have now been defined. And let me mention that although not linked to an on-going conflict, the solution to the problem of almost 95,000 Bhutanese refugees in Nepal also remains elusive, although there are some indications of possible progress on this issue in the near future.

In Africa, the pattern of recent conflicts is even more complex. Some factors have directly contributed to blocking solutions to refugee problems: first, a trend towards increased violence against civilians, of which mutilations and killings by rebel forces in Sierra Leone have been the most horrifying example; second, a strong ethnic component in some conflicts, particularly in the Great Lakes region; and third, the regionalization of wars.

In West Africa, the crises in Sierra Leone and Guinea Bissau forced hundreds of thousands of people to flee their homes. While in Guinea Bissau problems are hopefully being resolved, almost half a million Sierra Leonean refugees have put an enormous additional burden on countries which have generously given asylum to refugees for years in spite of their limited resources. There are 350,000 refugees in Guinea alone. Liberia, a country emerging from years of war, hosts almost 90,000 Sierra Leonean refugees.

The other critical region in the continent has been Central Africa. With the renewed conflict in the Democratic Republic of the Congo, war and human displacement have become so complex in the region, and their ramifications so wide, that I hesitate to simply refer to a "Great Lakes" crisis. Between 1993 and 1996, displacement problems were essentially refugee situations. In 1996 and 1997, the focus was on repatriation, particularly of Rwandan refugees. Today, refugee situations persist -- the largest group being the 260,000 Burundi refugees in Tanzania, which continues to be a major asylum country. But there is a growing mixture of refugee flows and repatriation movements. Internal displacement on a large scale is a potential risk, particularly in the Democratic Republic of the Congo. Given the complex, inter-related nature of these problems, the search for solutions must have a strong regional foundation, with more decisive international support. I am also extremely concerned that if ethnic and nationality problems are not addressed -- worse, if ethnic tensions are allowed or even encouraged to simmer -- people may flee again in massive numbers.

I should also mention Angola, where the implementation of the Lusaka Peace Accords has suffered very serious setbacks, compelling my Office to suspend the repatriation of Angolan refugees from neighbouring countries *sine die*. This happened when almost half of the over 300,000 refugees had already returned, but the resumption of hostilities in the country caused the fresh outflow of 30,000 Angolans and the displacement of hundreds of thousands of people within the country. In a period of a few weeks, UNHCR had to switch from the implementation of repatriation, and of reintegration projects, to the deployment of emergency teams to address the new flows.

In the Horn of Africa, the successful repatriation of Ethiopian refugees from the Sudan, and of Somali refugees from Ethiopia indicate that some of the long standing problems of displacement are being resolved. It would therefore be an even greater setback if such progress were to be offset by a new conflict and fresh displacement. I call upon the concerned governments and the international community to do all that is in their power to maintain peace in this region.

In Southern Sudan, the on-going conflict continues to block solutions for refugees in Ethiopia and Uganda. And the repatriation of Sahrawi refugees depends on the successful conclusion of the peace process for Western Sahara.

Nowhere has the direct, brutal relationship between conflict and displacement has been more evident than in the province of Kosovo in the Federal Republic of Yugoslavia. I have just returned from a six-day tour of the region -- my second one this year -- which took me, besides Kosovo, to Belgrade, Montenegro and Albania, and during which I met with the main national and local political leaders. My priority was to personally assess the situation of the 45,000 displaced in Montenegro, of the 20,000 refugees in Albania, and in particular of the estimated 200,000 displaced people in Kosovo itself. While the pattern of displacement is not always clear, and changes by the day, its causes on the contrary are sadly obvious: while there are -- indeed -- reports of serious human rights violations by the Kosovo Liberation Army, the main cause for civilians to flee is the excessive use of force by governmental security units, which is designed to terrorize and subjugate them. I raised these points in my meeting with President Milosevic

of the Federal Republic of Yugoslavia, urging him to stop violence and destruction and stressing the importance of promoting confidence-building measures. On our side, we have substantially increased our operational capacity in order to effectively lead the humanitarian effort. However, Kosovo is a political problem, with devastating humanitarian consequences. While colleagues in the field carry out their life-saving efforts, we must insist that a just and lasting political solution be realized immediately, before it is too late.

European countries are rightly concerned by the possibility that the Kosovo crisis, if left unresolved, will continue to compel civilians to flee to neighbouring countries, and further on, to Western Europe. This is of course one more reason to intensify efforts to find a political solution to the conflict. So long as violence and oppression continue to prevail in Kosovo, however, I appeal to governments -- in the region and in the rest of Europe -- to maintain an open attitude towards asylum seekers from this area.

Not only is the increase in the number of conflicts causing more displacement, but it is also causing displacement to become more complex. Take Kosovo, for example. There, the categorization of those who flee their homes into refugees, internally displaced or other groups is not very significant, given that all those who flee try to reach the nearest secure area, irrespective of the status they will acquire in doing so. In this and other cases, we shall continue to pursue a comprehensive approach to the different categories of displaced people, closely linked to conflict resolution efforts. In this respect, I would like to join the Representative of the Secretary-General for Internally Displaced Persons, Mr Francis Deng, in calling for increased international attention and support for the internally displaced. On our side, we shall continue to intervene on their behalf when requested and authorised to do so, and particularly where their situation may cause refugee flows -- such as in Colombia, for example -- provided that the right of all people to seek asylum is respected, and provided also that through our work we can facilitate the search for solutions for all those forcibly displaced.

I have already said that physical and psychological violence against civilians is increasing in many places engulfed in conflict. Kosovo and Sierra Leone are two cases in point. I should add that -- sadly -- among those most affected are above all refugee and returnee women and children. UNHCR will continue to pay special attention to the needs of these groups, with a strong focus on their protection problems, and particularly in conflict and post conflict situations.

Ensuring protection and seeking solutions through global solidarity

The increase in the number of conflicts indicates that maintaining global peace is becoming more complicated. This has serious consequences on humanitarian work. How many times have we said and heard that humanitarian action cannot be a substitute for political solutions? Yet, in many situations, humanitarian workers are still alone on the ground. Political interest to resolve some crises seems to be receding. Is this the symptom of a decreasing sense of international commitment on the part of today's states and societies?

The Executive Committee has chosen to discuss how international cooperation allows the "burden" of displacement to be shared among states. The most significant aspect of burden sharing is undoubtedly the sharing of responsibilities towards uprooted people. The Preamble of the 1951 Convention says that "... a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot ... be achieved without international cooperation". Let me therefore propose that we explore together ways and means to address and resolve problems of forced displacement through closer international cooperation. The refugee problem is a global one, but what dimension will it have in a world in which "globalization" will soon give a very different meaning to those key features of traditional refugee movements, distances and borders? Should we not prepare ourselves, and counter inward-looking tendencies by developing a global solidarity agenda for the next millennium?

Most importantly, we must clearly reaffirm that international cooperation to resolve refugee problems must be solidly based on protection principles. We often hear that the refugee protection regime is obsolete. On the contrary, I think that it continues to prove its ability to ensure -- with some exceptions -- that refugees are granted asylum, and that acceptable solutions to their problems are identified.

Asylum remains the cornerstone of refugee protection. I am very worried that in industrialized societies -- but, increasingly, also in developing countries -- governments adopt more restrictive asylum policies, resorting to a narrower interpretation of refugee law. The focus of legislation dealing with asylum has shifted from protection to control. Indeed, people fleeing violence and persecution are frequently mixed with others seeking economic opportunities. Sometimes people flee for both reasons. States also tighten border controls in a more than legitimate effort to deal with terrorism and other threats to security. Traffickers in human beings do not discriminate between people with legitimate fear of persecution, people seeking jobs, and those with criminal intent. In some countries, the inability to separate refugees from others, not deserving of protection, has had the catastrophic consequences that we know. Mixed flows, however, do not justify the systematic, sometimes intentional confusion between refugees and others. Migrants seeking work should not present themselves as asylum seekers. Nor should those requesting asylum be presented to public opinion as merely seeking a work permit, or worse, escaping from prosecution rather than persecution. Asylum often is the only tool left to the international community to rescue a life in danger. Let us restore confidence in this essential protection instrument.

At the other end of the protection spectrum, refugee resettlement is a concrete reflection of international cooperation. This is why I am concerned by the indication given by some countries that an increase in the number of asylum seekers at their border may mean a decrease in resettlement quotas. On the other hand, I am grateful to those governments that continue to offer resettlement opportunities, among which I would like to single out the initiative of the United States -- still the largest resettlement country -- to increase quotas for African refugees. I am also glad to report that we can

now resettle refugees in countries from which refugees used to flee, such as South Africa, Chile and Argentina. This is an encouraging sign.

The difficult context in which we work means that we must be very active and creative in catalyzing international cooperation in order to achieve lasting and comprehensive solutions to refugee problems. As in previous years, we have of course continued to promote cooperation through regional processes such as the CIS Conference, the Asia-Pacific Consultations and the Central and South-West Asia and Middle East Consultations. In the last few months, however, we have taken several new initiatives, especially in three areas: protection, security and returnee reintegration.

First, on a broad range of protection issues, we have made efforts to reach out and promote a dialogue with the members of this Committee. This is an ongoing process, through which we are obtaining valuable, if varying opinions, from interested states. The "protection reach out project" offers us an opportunity to exchange our views with governments on protection principles, and provides us with inspiration on how to reinvigorate international protection and make it more effective in the current geopolitical context.

Second, following the dramatic experiences of the Great Lakes crisis, last year I told you that we would discuss with governments the best ways to uphold refugee protection in that region, taking into full consideration the security interests of states. Immediately after the Executive Committee meeting, we started a process of consultations with governments in Central Africa. In February I travelled to nine countries in the region for three weeks and met with their leaders. This process culminated, in May, in a meeting of eight governments hosted in Kampala by President Museveni of Uganda and convened by the Organisation of African Unity and UNHCR. The group strongly reaffirmed its support for refugee protection principles embodied in the OAU Convention, and requested the OAU and UNHCR to continue to work on three broad issues: insecurity in situations of displacement; the vital role of returnee reintegration as a contribution to post-conflict reconstruction; and the importance of assisting national communities hosting refugees. The work done before and during the Kampala meeting, and its important conclusions, did not remain isolated from other parallel, and broader efforts with respect to security issues. Following a recommendation of the United Nations Secretary-General's report on Africa, UNHCR is cooperating closely with the UN Department of Peacekeeping Operations on proposals to establish various stand-by international arrangements to address insecure refugee situations, not necessarily relying on traditional multinational peacekeeping forces.

Third, we have been actively promoting international cooperation for the reintegration of refugees following voluntary repatriation, especially in post-conflict situations. This was the main objective of the regional strategy for the sustainable return of those displaced by conflict in the former Yugoslavia, which we developed earlier this year. Although the focus of attention has recently been on Kosovo, we should not forget that 1.8 million people continue to be displaced in other parts of the former Yugoslavia. Both in Bosnia and Herzegovina and in Croatia, minority returns remain the central problem. In the former, they continue to be lower than

expected, even if we now estimate that approximately 20,000 minority returns have occurred since January. I wish to repeat here what I said in June to the Humanitarian Issues Working Group, which endorsed the strategy: the attitudes and the people responsible for displacement in this region still prevail, and prevent larger returns. We are nevertheless committed to work with all elected officials to realize the right to return. We also continue to co-operate closely with the Office of the High Representative and other agencies. In Croatia, on the other hand, following the approval by Parliament of the Programme on Return legislation in June, the number of Croatian Serbs' returns increased to 3,000 in two months, with 4,000 other people already approved for repatriation. For the first time since the end of hostilities, legislated minority returns are a reality, although most of them continue to be so-called "difficult" cases. These still require political action to resolve reconstruction needs and property restitution.

In spite of all the problems, in the former Yugoslavia a comprehensive peace agreement attempts to provide an all-encompassing reconstruction framework for international cooperation. The return and reintegration of refugees are indeed a fundamental aspect of the Dayton Peace Agreement. In other regions, repatriation cannot avail itself of such a framework. Yet, there have been positive developments. For example, 65,000 Chakma refugees returned voluntarily from India to Bangladesh under a bilateral arrangement between the two countries. The Guatemalan refugee situation is being solved through a combination of local integration in Mexico and successful repatriation. In Africa, the repatriation of refugees to Mali and Niger has been completed. Almost 200,000 Liberian refugees have already returned to their country since last December, either spontaneously or with UNHCR assistance. In Sierra Leone and Guinea Bissau, thanks especially to the leadership of ECOWAS, conflicts have been largely stopped. Should peace prevail in these two countries, the repatriation and reintegration of refugees and other uprooted people will be key elements of the peace building process in the entire region. We must seize the opportunity to provide them with the necessary support. We must start planning return and reintegration early, so that when peace becomes a reality, the return of the displaced does not increase its fragility, but is rather a consolidating factor.

Operating in immediate post-conflict situations, UNHCR has faced serious difficulties. Rwanda and Liberia provide examples of massive return movements to situations of fragile peace, which need to be consolidated through effective international cooperation. Yet, in both countries, insufficient support to returnee reintegration projects has compelled us to drastically reduce our programmes. I would like to recall here that activities in support of returnees, and of their reintegration, have been endorsed by this Executive Committee as an essential aspect of our responsibility for return -- an inherent part of UNHCR's mandate.

Moreover, in the cases I have mentioned, our withdrawal has not been matched by a parallel increase in development activities. Situations of fragile peace discourage the allocation of resources needed to support integration and reconciliation, widen the gap between humanitarian and development assistance and result in failure to create an environment favourable to the re-integration of returnees and to the peaceful coexistence of divided communities. We have been actively engaging governments, other

components of the United Nations -- especially UNDP -- and the World Bank in more concrete discussions on this important issue of division of work and resource mobilization, with a view to explore how to bridge existing gaps.

I cannot conclude these remarks about international cooperation and refugee protection without mentioning the importance of carrying out this work in partnership with others. In this regard, I would particularly like to share with you my strong appreciation for the work of the United Nations Coordinator for Humanitarian Affairs, Mr Sergio Vieira de Mello. His efforts have been instrumental in keeping humanitarian issues on the international political agenda. I cannot mention all the others, but I will refer at least to the operational agencies of the United Nations, and especially UNICEF and the World Food Programme, as well as the International Organization for Migration, and the International Committee of the Red Cross. We are stressing cooperation with regional organizations: besides those I have referred to, such as the Organization of African Unity, I would like to mention ECOWAS and SADC, and single out the European Union. Through the European Commission and its Humanitarian Office, it continues to be one of our strongest supporters. Let me also add that in a few days I will be travelling to Vienna to sign a Memorandum of Understanding with the Organization for Security and Cooperation in Europe.

Cooperation with non-governmental organizations, particularly in the field, remains one of the fundamental aspects of our work. They are our window and our link with civil society. In this respect, we are discussing a number of initiatives with NGOs of which we shall keep you informed -- including a relaunch of the ParInAc process and a programme to strengthen capacity building for national NGOs.

Resources and management

Mr Chairman, I would now like to share with you some thoughts about the resources needed to carry out this vast and complex programme of work. I am very grateful for the continued support provided by governments to my Office. The fact that contributions are almost entirely voluntary requires on our part considerable fund raising efforts. I believe this is useful, motivates us to constantly improve the quality of our work, and helps focus the world's attention on refugee problems. Because of their voluntary character, however, contributions may not always be made to the extent and at the time we would wish them to be. I understand governments' constraints, especially when -- in many countries -- budgets are reduced and public spending is curtailed. In this context, I also understand governments' requests for even better accountability.

This year, however, cases of decreased and delayed contributions have been more frequent than in the past. If the current shortfall of the General Programme will not be funded by the end of this year, we shall have to further reduce operational expenditures. Some Special Programmes also remain severely underfunded: among these, I would like to mention Afghanistan, Sierra Leone and Liberia. According to our projections, funds carried over into next year will be minimal. If our activities are to be carried out

without interruption during the first quarter of 1999, we need donor support now.

I would also like to draw your attention to two other essential aspects of funding. First, flexibility. I appreciate that governments have their priorities in the allocation of funds. Flexibility, however, is indispensable to our effectiveness. For example, the funding situation of the Great Lakes operations, including Rwanda, has recently improved, but tight earmarking of some of the contributions make their use limited only to certain activities, while others remain underfunded. I would like to request all donors to take this into consideration and to strike a balance between their need to earmark contributions, and their demand that we perform effectively. Second, predictability. This year, in some instances, funds were contributed -- but so late that meanwhile many activities had to be cut or suspended. Visiting our field programmes, you have a tangible feeling of despair resulting from such unpredictability. Many of my colleagues and our implementing partners do not know whether they will have resources to carry out their work -- literally -- in the next few days.

Reductions in our programmes have had a considerable impact on human resources management. A post-by-post review both at Headquarters and in the field was recently completed. By 1 January 1999 we shall attain the target of 4,436 posts, which represents a reduction of a thousand posts in less than two years. We have made all possible efforts to conduct this exercise in a transparent manner, and to take all available measures aimed at minimizing the negative consequences on staff. External recruitment continues to be frozen, which, by the way, meant that the challenge of achieving overall gender equity among our staff was made more difficult. This said, we have reached a level of 39% representation of women, and we are committed to making further progress, particularly in the higher grades, by ensuring maximum opportunity for the advancement of women.

I continue to be deeply worried by insecurity problems affecting the staff of my Office and of other humanitarian agencies in many places. The case of Vincent Cochetel, head of the UNHCR office in Vladikavkaz, in the Russian Federation, is an extremely preoccupying case in point. He was abducted by criminals on 29 January and has now spent eight months in captivity -- eight months during which his courageous wife and two young daughters, as well as his colleagues and friends, have been waiting in vain for his return. We have been working ceaselessly to try to secure his release. We continue needing the assistance of the authorities in the Russian Federation -- local, regional and national -- to bring a swift and positive end to Vincent's ordeal.

Of all UNHCR current employees, 21% are working in what the United Nations consider high-risk duty stations. In close consultation with the United Nations Security Coordinator and the UN operational agencies, I have requested and obtained that staff security be given more attention in inter-agency discussions. We have made some concrete proposals -- for example on measures to protect national staff -- and I will insist that they are implemented as soon as possible. Problems of security, however, cannot be addressed only through administrative measures. They are the consequence of the isolation in which humanitarian agencies often find themselves in

insecure situations. If we continue to be present and active in conflict areas or in other dangerous places -- and we certainly will -- this problem must be dealt with in the broader context of political support to humanitarian action. For this reason, we have made a substantial contribution to the Secretary-General's report to the Security Council on protection for humanitarian assistance; and we have been foremost among those requesting that crimes committed against humanitarian staff be covered by the newly established International Criminal Court.

Concerning the status of the change management process, UNHCR presented the Standing Committee in February with a report on the implementation of Project Delphi, showing that more than half of the activities had already been implemented and that many others had achieved substantial progress. Of the priority projects consolidating the remaining major actions, I would like to single out the further development of the Operations Management System. This is a tool which will soon enable us to plan, budget, implement, monitor and evaluate all projects more comprehensively and rationally than ever before; and which will also help us improve the monitoring of projects implemented by partner organizations. To support this, we are embarking upon a complex and far-reaching project to replace our current information technology systems. In the context of change, the implementation of the Career Management System should also be mentioned. Its first cycle has been completed and we now plan to make it simpler and more flexible.
All these change efforts require a sustained commitment -- including financial support -- over the next three to four years.

Mr Chairman, I wish to assure the Executive Committee that I attach the greatest importance -- and I wish to repeat this: the greatest importance -- to attaining the good management standards which this Committee has repeatedly recognized as one of UNHCR's constant features. As early as in 1992, I committed myself to strengthening the management capacity of the Office and proposed measures to achieve this objective. One of them was the appointment of an Inspector. The Service which he supervises has been extremely active. Since 1995 inspections have been carried out in 68 countries, that is 60% of UNHCR's programmes. Another, related activity which now needs attention is that of evaluations: in the next few months we plan to review our capacity and methods in this important area. And finally, I have paid particular attention to the management responsibility of UNHCR representatives in the field, who have a key role to play in ensuring the proper and prudent use of resources. Activities to enhance their capabilities have included training on human resources and financial management.

Conclusion

Mr Chairman, the next two years will be marked by important occasions. 1999 will be the 30th anniversary of the refugee Convention of the Organization of African Unity. In December 2000 UNHCR will celebrate the 50th anniversary of the General Assembly resolution instituting the Office. And I will have the privilege of leading the Office towards the new century. These dates are symbolic, but I wish them to add significance and motivation to our work. They also clearly indicate how much refugees have been part of our century's history. So have been -- I hope -- our efforts to address their problems.

Reaching out to governments and to the civil society to make global solidarity a concrete reality is the first priority of my next mandate. To achieve this, my second priority is to ensure sustainable effectiveness in policy and management. Given the difficult context in which we work, I believe that there are some areas requiring particular attention: first, to maintain the rapid and effective emergency preparedness and response capacity which we have built over the last six years; second, to establish a more fair, fast and flexible human resources management system; and third, as I already said, to ensure a predictable and flexible funding base.

The fourth area to which I will devote particular attention will be to maintain and promote a human approach in our work. Mr Chairman, it is both the biggest challenge and the greatest privilege of working with UNHCR that we deal not only with issues, concepts, policies and figures, but also and much more importantly with people. This -- I believe -- helps us keep in touch with reality, and at the same time stay alert for new ideas. This is why I attach great importance to my own field trips, on which I have spent this year about half of my time, and which allow me to be in contact with refugees and with my colleagues working directly with them. I spoke briefly about our efforts to improve good management. I would like to emphasize that we know that it is on the quality of our work, at all levels, that depend not only the most effective use of resources, but also and especially the lives and welfare of thousands of men and women. I can assure you that my colleagues and myself are well aware, constantly, of this responsibility. I can also assure you that there is no better guarantee of good management than this awareness.

Times are difficult, as I said. They are especially difficult for those who -- even as we speak -- are forced to leave their homes, their land and often their family. We have limited means to help them, but we shall use them in full, working in the manner for which UNHCR has become known: forward-looking, committed and effective. We shall spare no effort to be worthy of your confidence. I hope that my own contribution will be to provide refugees worldwide, and my colleagues who work with them, with a sense of direction. I do not want to leave behind a legacy, but a future.

Thank you, Mr Chairman.

Chairman's Summing up of Agenda Item 4: Annual Theme (International Solidarity and Burden-Sharing in all its Aspects: National, Regional and International Responsibilities for Refugees

(Thursday, 8 October 1998)

Introduction

In presenting this summing-up, I shall attempt to highlight a number of common and overriding considerations which have emerged from our rich and wide-ranging debate on the annual theme and which point the way to yet more focused dialogue and, in certain areas, to concrete follow-up action. The debate demonstrated yet again our collective responsibility for refugees, displaced persons and others in need of international protection.

At the outset, you paid warm and unanimous tribute to the High Commissioner on her re-election to a new two-year term, citing her wise leadership and tireless efforts on behalf of refugees. The new Bureau of the Executive Committee joins the membership in expressing its gratitude at the opportunity to work closely with her in the coming year.

Many of you expressed concern for the security of humanitarian staff in general and at the protracted abduction of Mr. Vincent Cochetel. Condolences were conveyed to the families, friends and colleagues of humanitarian staff who have lost their lives in the service of refugees.

Regarding the Annual Theme: *International Solidarity and Burden-Sharing in all its Aspects: National, Regional and International Responsibilities for Refugees*

The debate took place in a positive and supportive atmosphere -- I would even say in an atmosphere of "bridge-building." It was generally agreed that the theme is a challenging one, even though international solidarity and burden-sharing are not new concepts. Indeed, we have been addressing them and seeking to practice them at various levels for years. Instruments of a universal or regional nature, which define and sustain the principle of international solidarity and burden-sharing, are already at our disposal to legitimize and guide our efforts. Some delegations, however, felt that -- due to the connotations that the phrase "burden-sharing" carries -- we should develop a more positive terminology. Accordingly, many referred to "responsibility-sharing," "cooperation," "collaboration" and "partnerships."

Numerous delegations spoke specifically of the need to affirm our commitment to and respect for the principles outlined in the United Nations Charter, the Universal Declaration of Human Rights, the 1951 Convention, the 1967 Protocol, various Regional Conventions and in international humanitarian law. A general appeal was reiterated for all Member States of the United Nations to accede to the Convention and the Protocol.

Mr. Cornelio Sommaruga, President of the International Committee of the Red Cross, eloquently stated in his address that the world situation in which solidarity and burden-sharing are to be implemented has fundamentally changed. With the emergence of supranational, regional and local mechanisms as well as the rapid expansion of transnational communications and networks of influence, global responsibility for humanitarian problems has never been such a pressing issue nor such an achievable goal.

The background paper No. A/AC.96/904 was provided to EXCOM as a basis for debate. Your interventions clearly addressed the major questions raised in that document:

- Why is burden-sharing necessary?
- What needs and responsibilities would it meet?
- Who should participate?
- To what extent should it be systematized?

Regarding the "WHY?"

There was consensus that the complexity and magnitude of current refugee situations are beyond the resources and response capacity of any single nation or organization. It was noted that preventive strategies are needed to reduce outflows and their manifold effects. However, where conflict has already erupted, many delegations saw early and effective peace-keeping activities as elements of and contributions to the application of the principle of international solidarity and burden-sharing.

It was repeatedly stated that although international solidarity and burden-sharing are moral responsibilities, they cannot be a prerequisite to adherence to international humanitarian principles.

Regarding "WHAT needs and responsibilities international solidarity and burden-sharing meet?"

Strong support was expressed for the humanitarian principles of asylum, *non-refoulement*, family unity, the right to return and durable solutions -- local integration, resettlement and, preferably, voluntary repatriation in conditions of safety and dignity -- but it was recognized that promotion and implementation of these principles require commitment on the part of the entire international community. However, several speakers stated with concern that support for humanitarian principles and values was eroding.

Many delegations noted that developing countries bear a disproportionate share of the burden of hosting refugees or reintegrating returnees and can only provide these services through support engendered in a spirit of international solidarity. Other speakers noted that support could take various forms, including financial, material, poltical and moral assistance. Indeed, every phase of the refugee to returnee experience, from emergency response, to care and maintenance to durable solutions, depends on multi-faceted actions encompassing environmental, social, economic and political factors, therefore, involving the full ranges of international, regional and local actors.

The process of local integration, where voluntary repatriation is not possible, is also largely assumed by developing host countries. When carried out with multi-faceted support from the international community, it can actually have a positive impact on host communities.

Many speakers stated that resettlement was a durable solution in which developed nations can actively participate in a spirit of international solidarity and burden-sharing.

There was vitually unanimous agreement that humanitarian assistance cannot be a substitute for political solutions. Far too often, humanitarian activities take place under conditions of extreme isolation, insecurity or conflict, requiring cooperation among humanitarian, human rights, peace-keeping and developmental bodies. It was reiterated that UNHCR should play a central role in this process. International solidarity among these very bodies, supported by member States, could play a preventive role by contributing to peace, security and human development, thereby reducing the likelihood of forced displacement.

Regarding "WHO should participate?"

While individual refugees bear the personal burden, there was clear consensus that, even if host countries have a primary responsibility, all elements of the international system must be involved in promoting international solidarity and burden-sharing: namely Member States, whether they be host countries, donors or countries of origin; UN agencies; other inter-governmental organizations, including financial institutions; regional bodies; NGOs and civil society. Some delegations observed that the principle of international solidarity and burden-sharing provides an opportunity to recognize and appreciate the various roles, needs and capacities of all such parties. It was further noted that, irrespective of any evident differences in such roles, this principle encompasses the need to work in partnership. As to the role of UNHCR, a number of delegations argued for flexibility in their support to UNHCR to fulfill its mandate.

It was specifically noted that enhanced inter-organization cooperation is an element of international solidarity and burden-sharing and is consistent with the collaborative reform mechanisms introduced by the Secretary General, Mr. Kofi Annan, in the past eighteen months.

And finally, regarding the "EXTENT to which burden-sharing should be SYSTEMATIZED."

Numerous delegates spoke positively about regional initiatives such as the Asia-Pacific Consultations; the Central Asia, South West Asia and Middle East Consultations; CIREFCA; CIS; CPA; ICARA I and II; the Regional Strategy for Former Yugoslavia; and the recent Regional Ministerial Meeting on Refugee issues in the Great Lakes in Kampala.

They also acknowledged the role of regional bodies such as ECHO, ECOWAS, the European Union, the OAS, the OAU, the Organization for Security and Cooperation in Europe, and the Southern African Development Community in promoting regional or sub-regional mechanisms for coordinated burden-sharing.

Institutional collaboration at the operational, advocacy and fund raising levels also occurs through inter-agency memoranda of understanding. Some delegations specifically requested that UNHCR enhance its coordinating role with NGOs and other operational partners.

There was less support for global mechanisms. Some delegations regarded them as difficult to create whereas others believed they would have to remain flexible to respond to ad hoc situations.

Systematic burden-sharing would also depend on adequate funding of UNHCR's humanitarian activities. It was repeatedly stressed that donor countries should provide the Office increased financial support, in a more predictable and flexible manner. The announcement by several delegations of additional funding for 1998 was particularly well received.

As many of you have noted, the implementation of the principle of international solidarity and burden-sharing in all its aspects is a complex process. In responding to the questions posed in the background paper, you also called attention to a number of other concerns and challenges.

- How to ensure the security of humanitarian personnel and of civilian populations, particularly women, children, the elderly and other vulnerable groups?
- How to ensure respect for basic humanitarian principles and maintain the integrity of the asylum system in view of currently emerging restrictionist policies?
- How to avoid asylum abuse by irregular migrants while maintaining the fairness and efficiency of the asylum process?
- How to separate refugees from combatants in mixed flows and ensure security within refugee situations?
- How to alleviate compassion fatigue, donor fatigue and loss of interest for funding programmes which are no longer in the public eye?
- How to deal with the continuing problems of landmines, small arms proliferation and human trafficking?
- How to promote more effective coordination within the humanitarian system and among humanitarian, human rights, political, security and developmental actors?

Distinguished Delegates,

As we have seen, the international community has the principles and legal instruments to deal with these critical issues. We also have much of the operational capacity to do so. What we need is adequate support and political will. I believe these discussions have taken us a major step in that direction.

I look forward to exploring further with you in the Standing Committee process the follow-up to the annual theme on which we have focused over the past days.